NILES'

WEEKLY REGISTER,

CONTAINING

POLITICAL, HISTORICAL, GEOGRAPHICAL, SCIENTIFICAL, STATISTICAL, ECONOMICAL AND BIOGRAPHICAL

DOCUMENTS, ESSAYS AND FACTS,

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES.

H. NILES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

FROM MARCH, 1833, TO SEPTEMBER, 1833—VOL. XLIV.
OR, VOLUME VIII.—FOURTH SERIES.

Baltimore:
PRINTED BY THE EDITOR,
AT THE FRANKLIN PRESS, WATER-STREET, EAST OF SOUTH-STREET.

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NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 1—VOL. VIII. BALTIMORE, MARCH 2, 1833. [VOL. XLIV. WHOLE No. 1,119.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞At the commencement of a volume, we have often indulged ourselves in a little familiar chat with our readers "on things in general"—speaking of the past and speculating on the future—but the intense interest of the proceedings of congress, now exacting the most earnest attention of the people, has induced us to refrain for the present, and *lay-too:* for it seems that all sorts, or classes, of persons, whether Jackson men or Jackson-Van Buren men—national republicans or Clay men—anti-masons—proclamation-men or anti proclamation-men—nullifiers or anti nullifiers—state-rights men or *constitutionalists*—tariffites or anti-tariffites, &c. &c. have been so *jostled* that no party knows exactly where is its own present location!—Some "guess" that they are on the banks of *New-found-land;* but the fog is so thick, and the water so much disturbed, that neither the quadrant nor the lead-line renders accustomed service. Soon after the rising of congress, the fog will clear away, and parties will get observations of the sun, as well as soundings, and make a fresh start on their several courses. We cannot steer in any *new* direction; but whether we shall remain at sea, or seek a *permanent harbor*—refraining from every thing which may lead into controversy—will depend upon the probability of rendering service to those great interests which we have so long and earnestly supported. We shall take an early opportunity of expressing ourselves fully and freely, and independently, on this subject—simply saying, for the present, that our opinions remain unchanged. The question is—as to the utility of uttering them. Congress must rise to-morrow—the bustle of business will soon be over, and a calm review of all that has happened may speedily take place. Things seem so much interlocked with things, that, in all cases, it is not easy to separate them, and determine each by its own merits. This, however, we may promise—that the same industry which has for so long a time found favor with the public, shall be exerted to sustain the reputation of the REGISTER; and the total absence of controversial subjects from its pages, perhaps, will be more agreeable to the public than that course which "*circumstances*" imposed upon us. But still it is not by any means intended to abandon the discussion of general principles—though the late manner and direction of such discussions may be considerably modified. We have no personal allusion—referring only to things.

☞Mr. Clay's bill in the senate, for the regulation of the tariff, reached its third reading in that body, when serious doubts began to be entertained of the right of the senate to originate a revenue bill—for such, and such only, in our estimation, is Mr. Clay's project. The latter was then suddenly adopted by the house of representatives, in lieu of the mangled bill of the committee of ways and means, and very swiftly passed, 118 to 85, on Tuesday last. See the yeas and nays, page 12. It was immediately sent from the house to the senate, where it yet remained. And the opinion is given out that it will not pass the senate, unless the bill of the senate, further to provide for the collection of duties on imports, shall also pass the house. And if the land-bill fails in the house, some also believe that the tariff bill will hardly pass the senate.

The latter, or tariff bill, as it passed the house, is the bill as reported by the select committee of the senate. The amendments made by the committee are wholesome—but our original objection to the bill remains unchanged.

WONDERFUL SAGACITY. The editor of the U. S. Telegraph has discovered, because we said that, "in the long run, the value of imports cannot exceed the value of the exportations," we have repudiated our error as to balances of trade! Mr. Green will next find out that, *because all men will die, no man is living.* If there is a trade between a white man and an Indian, whiskey for furs—the balance will be against the Indian, if he continues it, until he parts with the last piece that covered his nakedness—and then he can only obtain more whiskey as he obtains more skins: the quantity of whiskey consumed being strictly regulated by *new* acquisitions of skins. There is no longer a "balance of trade" against the Indian!—but he is without clothing and miserable.

And notwithstanding this discovery—we *guess* that Mr. Green will agree with us, that if an individual (or a nation), sells a greater value than he purchases, or expends, there is an undoubted "balance of trade" in that individual's favor! But it is not worth while to pursue the subject. The people will *feel* that there *is* a balance of trade against them, a few years hence—unless the present prospects of things are materially changed.

U. S. BANK STOCK, at New York, February 27—104¼ a 104⅜.

NEW YORK. We mentioned in our last, that some of the old *bank-manufacturing-leaven* had appeared at Albany. It appears that a certain *Alvah Beebee* had written threatening letters to certain members of the assembly, if they voted against the proposition to make a new bank at Ithaca, and that he had offered one member 10,000 dollars in the stock, *and so forth.* The sergeant-at-arms was sent to arrest him, and he was brought a prisoner to Albany. It seems that he admitted the charges, but justified them. "As to the threat to vote down other bills, he answered that 'it was in accordance with the legislation of the state,' and that if members who for *themselves* or their *friends* were interested in a bank, were voted down by others, justice and *propriety* required that these latter should be defeated; and he added 'that this was a means of obtaining justice, that, as he understood, *had been long practised.*' The offer of stock he also defended on the score of 'immemorial usage.' 'Members, he said, had been constantly in the habit of subscribing for stock in banks, which they had voted for; and he further charged that he had been induced to make this particular offer at the instance of 'the friends of the member'—who had named the precise amount of stock wanted! All which things, usages &c. the counsel for the accused is said to be ready to substantiate. If so, we shall probably have a precious exposition of the art, trade and mystery of *lobbying.*"

For all which, after much debate, Mr. Beebee was brought to the bar, reprimanded by the speaker, and released from the custody of the sergeant-at-arms.

The "Albany Argus" gives the following account of the ceremony:

The respondent having been brought to the bar in the custody of the sergeant-at-arms, the speaker directed the following resolution to be read to him by the clerk:

Resolved, That Alvah Beebee has been guilty of a contempt and breach of the privileges of this House, and that he be brought to the bar of the house immediately, and that he be publicly reprimanded by the speaker, in the presence of the house.

The speaker then addressed the respondent as follows:

The resolution first read, clearly indicates the opinion of the house, of your conduct, as the author of a letter addressed to one of its members, offering improper inducements to support an application pending before the legislature. Your own admission establishes the fact, that you was the writer of such letter. The offence committed by you is one of no ordinary character, for which the statute imposes the heaviest penalties. Any attempt to corrupt the integrity of the members of this house, or to destroy the purity of legislation, deserves not only the severest reprehension, but the infliction of exemplary punishment. There are some circumstances calculated to palliate your offence:—these are your extreme youth and inexperience, to these, joined to your disclaimer of all wicked or corrupt intention, may be attributed the mildness of the decision of the house, which it is my duty to pronounce. In obedience to its order, I do therefore reprimand you for your conduct, and trust that this public

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admonition may prove a salutary lesson to yourself, and serve as a warning and example to all others.

The "Schenectady Cabinet" says:—The following resolution, introduced by Mr. Seward, on Saturday last, in the senate of this state, was defeated (by postponement,) by a vote of 19 to 9; all the "Jackson" members present voting against it except Messrs. Sherman, Sudam and Van Schaick:

Resolved, (if the assembly concur,) That the president of the United States, in his late proclamation, has advanced the true principles upon which only the constitution can be maintained and defended.

NEW JERSEY. Samuel L. Southard, at present governor of the state, has been elected a senator of the United States, after the 4th inst. in place of M. Dickerson, esq. whose period of service will then expire. For Mr. Southard 37, for capt. Stockton 23.

MARYLAND. The house of delegates of this state (51 to 15) have passed a liberal supplement to the act for making a rail road from Baltimore to Washington, and subscribing 500,000 dollars to the stock. The road is to be made by the Baltimore and Ohio rail road company.

VIRGINIA. The following is among the curiosities of the times:

In the legislature of Virginia, on Tuesday, last week, the following preamble and resolution was moved by *Mr. Knox:*

"Whereas a bill is now pending before the senate of the United States, which proposes to invest the president with the authority of employing at discretion the land and naval forces of the country, for the purpose of carrying into effect the revenue laws of the general government; and whereas, in the opinion of the general assembly of Virginia, there exists no necessity for clothing the president with such unlimited powers, *Resolved, therefore*, by the general assembly of Virginia, that John Tyler and William C. Rives, senators in the congress of the United States from the state of Virginia, be and they are hereby instructed to vote against the said bill, and to use their best exertions in order to defeat the passage of the same; and likewise request our representatives in congress to do likewise."

After some debate, and a refusal to defer the fate of the resolution, by laying it on the table, it was indefinitely postponed (*rejected*) by a vote of 75 to 51.

[On the matter of this resolution, the will of Virginia has been "nullified"—one of her senators *constitutionally* voting against the other *constitutional* senator.]

Colonization. In the house of delegates, on Saturday, the committee of finance, to whom had been referred the various petitions for legislative aid to the colonization society—made a report conformable thereto. A motion was made by Mr. Brodnax to lay the report on the table, which was, after much discussion, rejected.—Mr. Dade moved the indefinite postponement, which also, after considerable debate, was decided in the negative—ayes 57—noes 57. The house adjourned without disposing of the subject. On *Monday*, Mr. Ritchie moved to take up the report—several members desired that the vote on the taking up should be considered as a test vote. The question was then taken—the ayes and noes being called—and it was taken up—ayes 61—noes 59. It was then referred to a select committee consisting of—Messrs. Gilmer, Brodnax, Campbell, Marshall, Faulkner, Pendleton, Carter (of P. W.,) McDowell, Cabell, McCamant and King. [*Fred. Arena.*

SOUTH CAROLINA. We are happy to learn that the late affray in Barnwell district was a mere quarrel between four individuals—and tho' there was a pretty rough fight with dirks, &c. no one killed. A general battle was expected by the persons present, but the interference of influential gentlemen prevented it.

It will be seen that gen. Hamilton, president of the convention, has directed a meeting of that body at Columbia on the 11th inst.

CHARLESTON. A fire broke out in this city on the evening of the 16th ult. in a small wooden building situated on East Bay, a few doors south of Market street, and in its progress seemed to threaten a large part of the town with destruction—but, by the spirited exertions of the firemen, powerfully assisted by col. Bankhead and major Heilman, of the U. S. army, at the head of 100 men, and a strong detachment of seamen from the U. S. ship Natchez, under command of capt. Ringgold, the progress of the flames was arrested, after 30 or 40 buildings had been consumed, blown up, or pulled down. In general, they were of wood and not very valuable.

GEORGIA. *Savannah, Feb.* 13. Yesterday was the birth-day of colonial Georgia. On that day, 100 years ago, the British standard was planted on the Bluff of this city, and the territory then occupied, declared an appendage of Great Britain. Its infancy was nurtured by Anglo-Saxon care and protection, until kindness was converted into the oppressions of a tyrannical step mother, and then, her authority being thrown off, Georgia has grown up a healthful, vigorous and prolific *nation* 100 years old, and still capable under the care and auspices of republican self-government, of being as vigorous, healthful and prolific 100 years hence, as yesterday's anniversary found her. To enable her to attain that mature age, it is only necessary to keep her a member of the present and future confederacy of the United America—and above all beyond the mephitic exhalations of *nullification.*

The day was ushered in by "all the pomp and circumstance" of military parade, by our brilliant volunteer corps.

MISSISSIPPI. After eighteen ballots, the legislature of this state adjourned without electing a senator of the United States, after the 4th March next, Mr. Black having been appointed to fill the vacancy. The votes were divided between Messrs. Black (the sitting member), James C. Wilkins, and P. R. Pray.

FLORIDA. An act has been passed by the governor and council of this territory to incorporate the "Union bank of Florida," with a capital of 1,000,000, and a privilege of increasing it to 3,000,000 dollars.

STATE BANKS. We are glad to hear that the projects of state banks in *Ohio, Kentucky* and *Indiana* have failed—for the present; and hope the same result in *Maryland.*

INDIAN WAR. *Louisville, Feb.* 19. We received last evening the following letter, which contains information of considerable moment. [*Journal.*

Cantonment Gibson, Jan. 12, 1833.

Dear friend: I take this opportunity of informing you of our situation. Capt. Ford's company of U. S. rangers left this place on the 5th instant, by order of col. Arbuckle, on an expedition against the Pawnees, but, to their surprise, they were attacked on the 9th, by a band of Camansha Indians, five hundred in number. They fought with great bravery for the space of an hour and a half, but they were surrounded and overpowered, and compelled to surrender themselves prisoners of war. I was at the fort when the express came in. One of the lieutenants made his escape, and brought information that the savages, at the time of his leaving them, were massacreing their prisoners. It is supposed that all have been put to death. Five companies of regulars, on the receipt of the intelligence, immediately started to rescue such as might be still alive. There is every probability of a bloody war with the Camansha Indians.

JAMES SMITH, *a ranger under capt. Boon.*

QUESTION AND ANSWER! Mr. Clayton, of Delaware, in the course of his argument in favor of the revenue bill, in the senate, asked Mr. Tyler "if he would deny that he was a citizen of the United States?" To which Mr. Tyler responded that "he was not a citizen of the government of the United States."

☞If Mr. Tyler had been in many parts of Europe in troublesome times, he would not only have proudly called himself a "citizen of the United States," but also said that he was a "*Yankee*"—boasting of events

"Which gave to fame
The Yankee name."

"She is no Frenchman," said the boatswain of the Java, when carried below into the cock-pit severely wounded, "but a d——d *Yankee*. She fires three times to our two. We'll be prisoners, or on our voyage to ——, in a few minutes."

IN EFFIGY! There have been sundry hangings and shootings of the president of the United States, in effigy, in parts of the south. Neither hurts much! The editor of the REGISTER has suffered such *punishments* many times—in that quarter.

INCREASE OF AMERICAN TONNAGE. We learn from good authority that there are now on the stocks in the United States, *one hundred and thirty ships*, averaging more than three hundred and fifty tons each. Of this number it is said that upwards of seventy are being built east of Boston.

This is a truly gratifying evidence of the prosperous state of our commercial interests, and promises a fair chance of promotion to the enterprising officers in our merchant service.

[*Cour. & Enq.*

[What better proof than the preceding would any man desire to have, that the "high" and "abominable" tariff of 1828, yet in operation, has *destroyed* navigation and commerce?]

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FUEL IN NEW YORK. From a statement published in the New York Daily Advertiser, it appears that the cost of fuel in that city for one year, is one million three hundred and sixty-nine thousand, five hundred and seven dollars and eighty cents, which, calculating the population at two hundred and twenty thousand, is a fraction over six dollars to each individual. The statement only embraces the quantity of wood and American coal sold to citizens for consumption; and does not include the large quantity of Liverpool, Sidney, Pictou, and other foreign coal used by the citizens and for manufactures; nor does it include the pine wood used for steam boats.

POSTMASTERS. An old subscriber in New York, who is strongly opposed to nullification by South Carolina—requests that the postmaster general may be informed of the necessity of certain nullifying acts on the line of the road between Baltimore and western New York.

"SIX CENTS DAMAGE. Two persons at New York, one a shopkeeper and the other a whiskered dandy, have each obtained the handsome sum of six cents damages, on account of certain cowhidings which they received—the one from a brother, and the other from the father, of young ladies whom they had insulted.

CASE OF MR. FILLEBROWN. The National Intelligencer of Feb. 23, says—The supreme court delivered its opinion yesterday in the case of *the United States vs. Thomas Fillebrown*, affirming the judgment of the circuit court of the District of Columbia in favor of the defendant. As this is one of the cases originating in the political persecutions of the memorable year 1829, we shall take an early opportunity of recurring to the opinion of the supreme court, and presenting to our readers a more particular account of it.

THE MEDICAL PROFESSION. In the medical class of the university of Pennsylvania, for the session of 1832-3 there were 368 students—of these 120 were from Pennsylvania, 103 from Virginia, 30 North Carolina, 15 South Carolina, 14 Georgia, 19 New Jersey, New England 10, New York 10, Maryland 9, Alabama and District of Columbia 7 each, Lousiana and Delaware 5 each, Kentucky and Mississippi 4 each, Tennessee, Canada and West Indies 2 each.

The whole number of students was 823—collegiate 105, medical 368, academical 186, charity (English) schools 164.

UNITED STATES MINT. The report of the director of this establishment for the year just ended, shows the coinage, during the year, of the sum of $3,401,055—consisting of 157,487 half eagles—4,400 quarter do.—4,797,000 half dollars—320,000 quarter do.—522,500 dimes—965,000 half do.—and 2,352,000 cents. Of the gold coined, $80,000 were from Mexico, South America and the West Indies, $28,000 from Africa; $678,000 from the gold region *in our own country*; and about $12,000 from sources not ascertained. Of the gold produced in the United States $34,000 came from Virginia; 458,000 from North Carolina; 45,000 from South Carolina; 140,000 from Georgia; and 1,000 from Tennessee. The quantity produced in South Carolina was more than doubled within the last year; in North Carolina nearly doubled; in Virginia increased 30 per cent. in *Georgia* DIMINISHED 20 per cent.

BEAUTIES OF THE PRESS. *From the New Hampshire Patriot, of Feb* 25. It will be seen that Mr. Blair has been defeated as printer to the next congress, and Messrs. Gales & Seaton elected. Thus it is, the editor of the Globe, who has stood forth the champion of the people and the administration, and who has done more than almost any other man in exposing the corruptions of the bank and the false and deceptive course of the opposition, has been forced to give place to the editors of the Intelligencer, a leading and bitter opposition print. And this too, has been done by members of congress elected by the people to sustain the administration. When will these things cease? Government patronage enough has been bestowed upon the profligate Englishman, Gales, to make fifty prudent men rich, and now another job has been given him, for his services to the bank and the federal party.

From the same. ☞Mr. Clay's land bill seems to be hung up in congress. We wish the house would pass it, only to see how quick old Hickory would veto it.

BRITISH REVENUE. *From late London papers* we lay before our readers an abstract of the amount of the revenue for the years and quarters ended 5th January, 1833.

It will be seen that the total ordinary revenue for the year ended 5th January, 1833, is £43,379,339. The total revenue for the year ended 5th January, 1832, was £42,833,170. The increase on the year is £546,169.

The total revenue for the quarter ended 5th January, 1833, is £11,705,301. The total revenue for the quarter ended 5th January, 1832, was £11,743,536. The decrease on the quarter is £39,473.

On the year, the customs have increased £223,167; on the quarter £356,583. On the year, the excise has increased £326,346; on the quarter it has decreased £299,086. The taxes have increased in the year £79,543. The post office has decreased in the year no less than £68,006; on the quarter, however, it has increased £10,000.

BRITISH WEST INDIES. By the brig Mary, captain Green, in 16 days from Montego Bay, we have Jamaica papers as late as the 26th ultimo, which are mostly occupied with the subject which has so long distracted that island, and rendered it justly obnoxious to the charge of religious persecution. The Jamaica Courant, a paper of considerable influence, seems to be devoted to the destruction of certain religious sects, on the ground that they have instigated the slaves to rebellion. To such an extent has the public mind been excited against the Baptist and Methodist clergymen, that they have been assailed and mobbed, while in the performance of their religious duties, and, in many instances, have narrowly escaped with their lives. To protect these classes of citizens from violence, and to preserve the public peace, a proclamation had been issued by his majesty William the 4th, which reached Jamaica on the 26th; it forbids all civil and military officers, under the government, connecting themselves with the clubs which have been organizing to oppose public preaching, and calls upon them to use every exertion in their power to bring the offenders to justice. The Courant speaks in terms of defiance of the proclamation, and remarks: "His majesty appears to imagine we are all slaves! and that we are to be governed at a distance of *four thousand miles*, by a proclamation, in defiance of laws which have been sanctioned by his predecessors, [illegible] governed, [illegible] we may incur the high displeasure of his most gracious majesty!" If the Courant speaks the language of the great mass of the people, we cannot predict what may be the result of this disturbing question, or where it will end.

So far the New York Advocate: and the N. Y. American says—A gentleman who has an intimate acquaintance with local property in the island of Jamaica, on looking over our files received by the last vessels, observed that sales have been attempted of the following estates: Temple Hall, with two hundred and forty negroes, which cost a few years since, fifty thousand pounds, was bid in, eight thousand only having been offered for it; Pleasant Hill, a coffee estate with two hundred and sixty nine negroes, cost, a few years since, one hundred thousand pounds, was bid in, only ten thousand offered. These are said to be fair specimens of the depreciation of the value of estates in the island; and as they were brought to the hammer, the mortgage having been sued up, would not have brought much more than sufficient to pay the costs of court.

FOREIGN NEWS.

GREAT BRITAIN AND IRELAND.

A great fire had taken place in Liverpool, in which 10 to 12,000 bales of cotton were consumed. The total damage said to be 300,000 pounds sterling.

The splendid and extensive premises at Leith were destroyed by fire early in January. It included steam mills, grain lofts, baths and spirit cellars, and extended from the head of Broad Wyand to the shore, and along the front of shore to Bernard street—loss estimated at $178,000.

The mail from Exeter to London, a distance of 173 miles, is carried in eighteen hours, while the mail from Calais to Paris, the same distance, is allowed 30 hours, and that is now thought rapaid traveling.

Troops were leaving England—for Ireland and the West Indies.

A good many cases of *cholera* have recently appeared in England and Ireland.

The renewal of the charter of the bank of England is an absorbing topic.

A story is current in Chichester of a dignitary of the church complaining to his bishop that he could not live upon his income. (nearly £1,000 a year.) His lordship is reported to have said, "You had better be quiet; it is possible you will be compelled ere long, to live upon a much smaller sum."

[*Brighton Guardian.*

The London Globe gives the following official result of the recent elections.

England—Reformers,		394
Conservatives,	110	
Scotland—Reformers,		44
Conservatives,	9	
Ireland—Reformers,		80
Conservatives,	25	
Total	144	518

This result shows a proportion of nearly four to one in favor of liberal principles.

PORTUGAL.

Don Pedro was still confined in Oporto, which Miguel's troops had bombarded, and considerably damaged. The fleet of Sartorius was expected at Oporto, from Vigo.

FRANCE.

The authorities are much embarrassed how to dispose of the duchess of Berri. They will neither bring her to trial, nor discharge her.

The king has reviewed the army in the north, as it was returning from Antwerp, and liberally bestowed rewards and praises.

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HOLLAND AND BELGIUM.

The state of affairs has not materially changed. The king of Holland had not swerved from his purposes.

We need only cite one proof of the enthusiasm which animates this extraordinary people. On the very day that the news of the surrender of the citadel at Antwerp arrived in Holland, the concourse of subscribers for the loan was immense, and all the funds necessary for the national defence against a most cruel oppression, were furnished with the greatest eagerness, and even rivalry. [*The Guardian.*

ITALY.

The following from Naples is of December 22: "For two days the eruption of Vesuvius has assumed an alarming character; the flanks of the mountain are furrowed in every direction by vast torrents of lava. We can perceive three small craters that have formed themselves in the centre of the great crater, the edge of which is in several places rent by crevices 30 or 40 feet wide, and 15 or 20 deep. A new stream of lava, which formed itself in the night of the 20th, has taken the direction of Portici."

GREECE

Is becoming more settled. It is said that the French troops were to be speedily withdrawn.

COLOMBIA.

We are glad to hear, generally, that present peace prevails in this long war-vexed land, though we do not understand how many "sovereign" states have been made for the rule of the several chieftains. There seems to be not less than three of them—Venezuela, New Granada and "Escuador." The latter [illegible] ...mble," but we don't know it by its name.

TURKEY AND EGYPT.

A letter from Paris, of January 12th, gives the following as the latest and most authentic information from Constantinople:—

The progress of the pacha's troops in Asia Minor is rapid; insurrection is fast spreading every where. The sultan has no money and but few troops. He cannot rely either on the courage or fidelity of the latter; and it may be regarded as certain, that on their first encounter with Ibrahim, they will be defeated and dispersed, if not induced to join his triumphant banner. All the best letters from Constantinople, dated the 10th ult. and received by the last post, say that Ibrahim was only a few day's march from the capital, and express the fullest conviction that nothing but foreign interference could check his progress. It is evident that the court of Russia is anxiously desirous to prevent his going too far, and it is probable that it will take means to prevent him, if the danger becomes too imminent to allow of any time being lost in consultations with other European powers on what ought to be done.

The Egyptian fleet of 25 sail had appeared in the Archipelago, seeking the Turkish of 40 sail, which was at anchor at the mouth of the Dardanelles. It was reported that 70,000 men of the Turkish army had joined the Egyptians. If all that is stated is true, the sultan must yield to his pacha, unless saved by the interposition of the European governments.

The plague was raging at Constantinople, and had carried off 17,000 persons.

STATE OF SOUTH CAROLINA.

To all to whom these presents may come:

Know ye, that by virtue of the authority vested in me by the convention of the people of South Carolina, I do hereby call together, and by these presents I have convoked the members of the said convention to re-assemble at Columbia, in the state aforesaid, at meridian, *on the second Monday in March next*, which will be on the 11th day thereof, to deliberate on such matters touching the interests and welfare of the good people aforesaid, as may be then and there presented for their consideration.

And I hereby call upon the said members to be punctual in their attendance, at the time and place herein specified.

Given under my hand and seal, in the parish of St. Peter's, South Carolina, this 13th day of February, in the year of [L. S.] our Lord one thousand eight hundred and thirty-three, and in the fifty-seventh year of American independence.

J. HAMILTON, jr.

President of the convention of the people of South Carolina.

ITEMS.

A large number of counterfeit bills of the bank of the United States have been circulated in New Brunswick, and especially at Fredericton.

The Rival, which sailed from Greenock for Oporto, on the 22d of November, with a crew of 37 men and 428 passengers for the service of Don Pedro, was totally lost on the 4th of December, near Galway, *and every soul on board perished.* The vessel was commanded by Mr. William Wallace, and the men for Portugal were under the charge of capt. Bygraves. The passengers were chiefly mechanics, journeymen operatives, weavers, and laborers, from almost every town and village in the west of Scotland, but principally from Galway.

The superintendent of salt springs, in the county of Onondaga, New York, reports the whole number of bushels of salt inspected during the year 1832, was one million six hundred and fifty-two thousand nine hundred and eighty five, of which one hundred eighty seven thousand six hundred and fifty-three was coarse salt.

A mine of anthracite coal is said to have been discovered on the Potomac, about 12 miles above Williamsport.

Some cases of cholera have recently appeared in Tennessee and Louisiana—but it does not appear that this fearful disease had extended itself.

Died, recently, at Pomfret, Conn. gen. Lemuel Grosvenor, in the 81st year of his age—a valued soldier of the revolution.

Seventy bales of cotton, weighing 31,520 lbs. were recently drawn by one horse from Tuscumbia, (Alabama,) to the river, a distance of 2 7-8 miles, in 14 minutes, on the rail road. *Savannah Georgian.*

The "Gallego mills" now owned by Mr. Chevallie, near Richmond, Virginia, were destroyed by fire in the night of the 6th February, believed to have been caused by friction in some of the machinery. These were among the largest mills in the United States, and the flour manufactured in them was of a very superior quality. The loss is supposed to be 100,000 dollars.

Joseph L. Hays, who lately resigned as police marshal of the city of N. York, during the term of his service in the police office, served 5,009 warrants, on persons whom he was called upon to arrest for various offences.

The population of Upper Canada, according to a statement in the Montreal Gazette, is nearly three hundred thousand.

Judge Smith has been impeached before the senate of Illinois. Among the charges, is one for imprisoning a Quaker for refusing to take off his hat in court.

We are glad to hear that lieut. *Randolph*, of the navy, who seems to have been bitterly persecuted by some of the *miserables* having influence in Washington, has been acquitted of all the charges preferred against him.

The snow was *four or five feet deep* at Portland, on the 15th Feb. last—and the roads impassable.

The Charlotte (N. C.) Journal states, on the authority of the postmaster at that place, that a pair of india rubber shoes passed through that post office, a few days since, franked by a member of congress from South Carolina, as "public documents!"

The annual number of newspapers which pass through the New York post office, is estimated at *eleven million eight hundred thousand.*

It is intimated in the *New York Gazette*, that the office of United States district attorney, for that city, is worth $30,000. This fat salary is made up by fees, &c. in actions against the merchants.

The remains of *Henry Eckford*, the celebrated ship-wright of New York, were recently received in that city from Constantinople—where he had been for some time superintending the navy yard of the sultan; who, on his death observed, "America must be a great nation, that she can allow such men as Henry Eckford to leave her dominions."

A letter from Hallowell, Maine, dated the 17th Feb. states that the snow there was seven feet deep.

The United States express, between Washington and Charleston, has performed some great exploits. The journey between Petersburg and Laurenceville, 49 miles, (one of the worst of roads at this season of the year) was lately made in two hours and 20 minutes—and 71 miles on the line travelled in 3 hours and 50 minutes. There is no need of such hurry, we suppose, just now, and we hope that there will not be—but the organization is proper, and its efficiency should be ascertained and kept up—*pro tem.*

TWENTY SECOND CONGRESS—SECOND SESSION.

SENATE.

The following is a copy of Mr. Clay's compromise tariff bill, as it was reported by the select committee.

Strike out the parts within [brackets] and insert the parts in italics.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That upon and after the 30th day of December, 1833, in all cases, where duties are imposed on foreign imports, by the act of July 14, 1832, entitled "an act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed 20 per centum on the value thereof, one tenth part of such excess shall be deducted; from and after the 30th day of September, 1835, another tenth part thereof shall be deducted; from and after the 30th day of September, 1837, another tenth part thereof shall be deducted; from and after the 30th day of September, 1839, another tenth part thereof shall be deducted; and from and after the 30th day of September, 1841, one half of the residue of such excess shall be deducted; and from and after the 30th day of September, 1842, the other half shall be deducted.

Sec. 2. And be it further enacted, That so much of the second section of the act of the 14th of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the name of plains, kerseys, or Kendal cottons, of which wool is only the material, the value whereof does not exceed 35 cents a square yard, at 5 per centum ad valorem, shall be, and the same is hereby repealed. And the said articles shall be subject to the same duty of 50 per centum as is provided by the said second section for other manufactures of wool, which duty shall be liable to the same reductions as are prescribed by the first section of this act.

Sec. 3. And be it further enacted, That until the 30th day of September, 1842, the duties imposed by existing laws as modified by this act shall remain, and continue to be collected. [And from and after the day last aforesaid, all duties on imports shall be collected in ready money; and laid for the purpose of collecting such revenue, as may be necessary to an economical admi

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nistration of the government, and, for that purpose, shall be equal upon all articles according to their value, which are not, by this act, declared to be entitled to entry subsequent to the said 30th September, 1842, free of duty, and until otherwise directed by law from and after the said 30th day of September, 1842, such duties shall be at the rate of 20 per cent. ad valorem; and from and after that day, all credits now allowed by law, in the payment of duties, shall be, and hereby are, abolished—*Provided*, That nothing herein contained, shall be construed to prevent the passage of any law in the event of war with any foreign power, for imposing such duties as may be deemed by congress necessary to the prosecution of such war.] *And from and after the day last aforesaid, all duties on imports shall be collected in ready money, and all credits now allowed by law, to the payment of duties, shall be, and hereby are, abolished, and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and from and after the day last aforesaid, the duties required to be paid by law on goods, wares and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law.*

Sec. 4. And be it further enacted, That in addition to the articles now exempted by the existing laws from the payment of duties, the following articles imported from and after the 30th day of September, 1833, and until the 30th day of September, 1842, shall also be admitted to entry, free from duty, to wit: bleached and unbleached linens, *table linens, linen napkins, and linen cambrics*, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, *excepting sewing silk*, and worsted stuff, goods, shawls, and other manufactures of silk and worsted.

Sec. 5. And be it further enacted, That from and after the said 30th day of September, 1842, the following articles shall be admitted to entry, free from duty, to wit: [unmanufactured cotton] indigo, quicksilver, *sulphur, crude saltpetre, steel, grind stones, refined borax, emery*, opium, tin in plates or sheets, gum arabic, gum senegal, lac dye, madders, madder root, nuts and berries used in dyeing, saffron, tumeric, woad or pastel, aloes, ambergris, Burgundy pitch, cochineal, camomile flowers, coriander seed, catsup, chalk, coculus indicus, horn plate for lanterns, ox horns, other horns and tips, India rubber, unmanufactured ivory, juniper berries, musk, nuts of all kinds, oil of juniper, unmanufactured rattans and reeds, tortoise shell, tin foil, shellac, all vegetables used principally in dyeing and composing dyes, wold and all articles employed chiefly for dyeing, except *alum, copperas*, bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aqua fortis, and tartaric acids, [and all other dyeing drugs and materials for composing dyes,] *and all imports on which the first section of this act may operate, and all articles now admitted to entry, free from duty or paying a less rate of duty than 20 per centum ad valorem before the said 30th day of September, 1842, from and after that day may be admitted to entry subject to such duty not exceeding 20 per centum ad valorem, as shall be provided for by law.*

Sec. 6. And be it further enacted, That so much of the act of the 14th day of July, 1832, or of any other act as is inconsistent with this act shall be, and the same is hereby repealed. *Provided*, That nothing herein contained shall be so construed as to prevent the passage, prior, or subsequent to the said 30th day of September, 1842, of any act or acts, from time to time, that may be necessary to detect, prevent or punish evasions of the duties on imports imposed by law: *nor to prevent the passage of any act prior to the 30th day of September, 1842, in the contingency either of excess or deficiency of revenue, altering the rate of duties on articles which by the aforesaid act of 14th day of July, 1832, are subject to a less rate of duty than 20 per centum ad valorem, in such manner as not to exceed that rate, and so to adjust the revenue to either of the said contingencies.*

—

February 22. Mr. *Benton* presented two memorials from Missouri, one against the passage of the bill relating to the proceeds of the public lands, and the other against rechartering the United States bank; which were laid on the table, and ordered to be printed.

Mr. *Frelinghuysen*, presented a memorial from certain manufacturers of copper, which was laid on the table.

The various bills lying on the table, waiting for their third reading, were taken up, read a third time and passed.

On motion of Mr. *Forsyth*, the senate then proceeded to the consideration of executive business.

When the doors were reopened—

The senate proceeded to the consideration of the bill to modify the acts imposing duties on imports.

After a considerable debate, the question being upon Mr. *Clay's* motion to amend the bill (so as to require a home instead of a foreign valuation, after the year 1842).

Mr. *Calhoun* said that he regretted that this amendment had been offered, but, as he had to choose between it and the failure of the bill, he had determined to vote for it. He voted for it, however, expressly on the ground, and with the declaration, first, that it should not be so construed as to require that the value should be ascertained by adding the amount of the duty to the value of the goods; and, second, that it should not be so applied as to violate that principle of the constitution which requires that all taxes and imposts shall be uniform throughout the United States.

The question being taken on the amendment, it was decided as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Foot, Frelinghuysen, Hill, Holmes, Johnston, King, Knight, Miller, Moore, Naudain, Poindexter, Prentiss, Rives, Robbins, Sprague, Tomlinson, Tyler, Wilkins—26.

NAYS—Messrs. Benton, Buckner, Dallas, Dickerson, Dudley, Forsyth, Grundy, Kane, Robinson, Seymour, Silsbee, Smith, Waggaman, Webster, White, Wright—16.

So the amendment was agreed to.

On the suggestion of Mr. *Tyler*—

Mr. *Smith* moved to amend the bill in the second section, by striking out the words at the close of the section, constituting the last paragraph.

The section reads as follows, and the part moved to be stricken out is enclosed in brackets:

"Sec. 2. *And be it further enacted*, That so much of the second section of the act of the 14th of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the name of plains, kerseys, or Kendal cottons, of which wool is the only material, the value whereof does not exceed thirty five cents a square yard, at five per cent. ad valorem, shall be, and the same is hereby, repealed. [And the said articles shall be subject to the same duty of fifty per cent. as is provided by the said second section for other manufactures of wool, which duty shall be liable to the same deductions as are prescribed by the first section of this act."]

Mr. *Clay* expressed a hope that the amendment would not be pressed.

Mr. *Forsyth* advocated the proposition to amend.

Some further remarks were made by Messrs. *Webster, Clayton, Clay, Foot and Miller*, when the bill was, on motion of Mr. *Dudley*, laid on the table, in consequence of a message from the house, announcing the death of the hon. *James Lent*, a representative from New York, and inviting the senate to attend the funeral to-morrow, at 11 o'clock.

The usual resolution was then adopted, and, on motion of Mr. *Clay*, it was

Ordered, That when the senate adjourns, it adjourn to meet to morrow, at one o'clock. The senate then adjourned.

February 23. After attending the funeral of Mr. *Lent*, of the house of representatives—

At half past one o'clock, the senate was called to order.

The *chair* communicated a report from the department of state, containing a statement of passengers and seamen who have arrived in passenger ships.

Mr. *Dallas* presented a memorial from the manufacturers of worsted yarn; which was laid on the table.

On motion of Mr. *Clay*, the bill to modify the acts imposing duties on imports, was taken up.

The question being on the motion of Mr. *Smith*, to amend the second section, some discussion took place, in which Messrs. *Wright, Foot, Clay, Forsyth, Buckner, Bell, Holmes, Smith, Sprague, Chambers, Benton, Dickerson, Silsbee, Frelinghuysen* and *Bibb* took part.

Mr. *Smith* having modified his motion so as to strike out the whole of the second section, (which goes to replace plains, kerseys, &c. where they stood before the act of July, 1832) the yeas and nays were ordered on that question.

Before any question was taken, Mr. *Wilkins* moved that the senate do now adjourn.

Mr. *Clay* asked for the yeas and nays, which were ordered; and the question being taken it was decided as follows:

YEAS—Messrs. Benton, Buckner, Dallas, Dickerson, Dudley, Hill, Knight, Robinson, Seymour, Silsbee, Smith, Tipton, Webster, Wilkins—14.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Foot, Forsyth, Frelinghuysen, Grundy, Hendricks, Holmes, Johnston, Kane, King, Mangum, Miller, Moore, Naudain, Poindexter, Pretiss, Rives, Robbins, Sprague, Tomlinson, Troup, Tyler, White, Wright—31.

So the senate refused to adjourn.

The question then recurred on the motion to strike out the second section.

Some discussion took place between Messrs. *Webster, Clay, Chambers* and *Clayton*, and the question was about to be taken; when,

Mr. *Chambers* moved that the senate do now adjourn.

The yeas and nays being ordered, the question was taken and decided as follows:

YEAS—Messrs. Benton, Buckner, Chambers, Dallas, Dickerson, Hendricks, Kane, Knight, Prentiss, Robinson, Seymour, Silsbee, Smith, Webster, Wilkins—15.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Foot, Forsyth, Frelinghuysen, Grundy, Holmes, Johnston, King, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Robbins, Sprague, Tipton, Tomlinson, Troup, Tyler, White, Wright—28.

After some remarks from Mr. *Webster* and Mr. *Clay*, the question was then taken on the motion to strike out the second section of the bill, and decided as follows:

YEAS—Messrs. Benton, Buckner, Dallas, Dudley, Forsyth, Grundy, Kane, King, Robinson, Silsbee, Smith, Webster, White, Wright—14.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Dickerson, Ewing, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Prentiss, Rives, Robbins, Seymour, Sprague, Tipton, Tomlinson, Troup, Tyler, Wilkins—29.

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So the senate refused to strike out the second section.

Mr. *Kane* then moved to amend the bill by adding another section, which provided that nothing contained in this act should be construed to extend to the present duties on lead in pigs, bars, or sheets, leaden shot, red or white lead, dry or ground in oil, sugar of lead, &c. &c.

Mr. *Smith* moved to amend the amendment by adding the words "bar iron and castings of iron, gunpowder, cannon, mortars, howitzers, cannon balls, shells for guns and howitzers," &c. Mr. S. said this proposition was to carry out the views of the secretary of the treasury in reference to the protection of munitions of war.

After a few words from Mr. *Clay* in opposition to the last proposition, and in favor of it from Mr. *Smith* and *Dickerson*, the yeas and nays were ordered, and the question being taken, was decided as follows:

YEAS—Messrs. Benton, Buckner, Clayton, Dallas, Dickerson, Dudley, Hendricks, Kane, Robinson, Smith, Tipton, Webster, Wilkins, Wright—14.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Ewing, Foot, Forsyth, Grundy, Holmes, Johnston, King, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Robbins, Seymour, Sprague, Tomlinson, Troup, White—25.

So the amendment to the amendment was negatived.

The question was then taken on the amendment proposed by Mr. *Kane*, the yeas and nays being ordered, and it was decided as follows:

YEAS—Messrs. Benton, Buckner, Dickerson, Dudley, Hendricks, Kane, Robinson, Silsbee, Smith, Tipton, Wilkins, Wright—12.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Dallas, Ewing, Foot, Forsyth, Grundy, Holmes, Johnston, King, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Robbins, Seymour, Sprague, Tomlinson, Troup, Tyler, Webster, White—27.

So the motion to amend was rejected.

Mr. *Forsyth* then moved to strike out the 3d and 6th sections of the bill, which attempt to bind all future congresses until the year 1842.

Mr. *Webster* made one or two observations on the motion.

The yeas and nays were then ordered, and the question being taken, was decided as follows:

YEAS—Messrs. Benton, Buckner, Dallas, Dickerson, Dudley, Forsyth, Kane, Knight, Robinson, Seymour, Silsbee, Smith, Webster—13.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Foot, Grundy, Holmes, Johnston, King, Mangum, Miller, Moore, Naudain, Poindexter, Prentiss, Rives, Robbins, Sprague, Tipton, Tomlinson, Troup, Tyler, White, Wilkins, Wright—28.

So the motion was rejected.

Mr. *Benton* then moved to amend the bill by adding a new section, the object of which was to make a reduction of the drawbacks allowed on the exportation of articles manufactured in the United States from foreign materials subject to duty, in the same proportion as the reduction made in the duties by this bill.

The yeas and nays were ordered on this motion.

After a few words from Messrs. *Benton, Calhoun, Smith, Poindexter, Foot* and *Miller*,

The question was taken, and decided as follows:

YEAS—Messrs. Benton, Buckner, Calhoun, Dallas, Dickerson, Dudley, Forsyth, Johnston, Kane, King, Rives, Robinson, Seymour, Tomlinson, Webster, White, Wilkins, Wright—18.

NAYS—Messrs. Bell, Bibb, Black, Clay, Clayton, Ewing, Foot, Grundy, Hendricks, Holmes, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Prentiss, Robbins, Silsbee, Smith, Sprague, Tipton, Troup, Tyler—24.

So the amendment was rejected.

Mr. *Wright* then moved to amend the bill by adding a section to restore the duties on coarse wool to the rates established by the bill of 1828.

On this question the yeas and nays were ordered, and after an explanation from Mr. *Wright*, that his object was merely to place coarse wool as it was placed in 1828, in consequence of the adoption by this bill of a duty of 5 per cent. on coarse woollens, the question was taken and decided as follows:

YEAS—Messrs. Dudley, Hendricks, Seymour, Silsbee, Tipton, Webster, Wright—7.

NAYS—Messrs. Bell, Bibb, Black, Buckner, Calhoun, Clay, Clayton, Dallas, Dickerson, Ewing, Foot, Forsyth, Grundy, Holmes, Johnston, King, Knight, Mangum, Miller, Moore, Naudain, Poindexter, Prentiss, Rives, Robbins, Robinson, Smith, Tomlinson, Troup, Tyler, White, Wilkins—32.

So the motion was negatived.

Mr. *Silsbee* moved to strike out the words "coming from this side of the cape of Good Hope," in reference to the discrimination made in the places from which silks are imported.

The motion was negatived without a division.

The bill was then reported as amended.

Mr. *Dallas* then moved to amend the amendment made as in committee of the whole, in the third section, by striking out the words which suggest the point to which the duties shall be ultimately reduced, to be the "revenue necessary to an economical administration of the government."

A discussion took place on this motion, in which it was contended by Messrs. *Webster, Dallas, Dickerson* and *Buckner*, that these words, although not so intended, might be construed by southern gentlemen, in the year 1842, as an abandonment of the protective principle, and a design on the part of those who had introduced this bill, to make revenue alone the standard of all future duties on imports.

Mr. *Clayton* and Mr. *Clay* regarded the language as authorising no such construction, and denied that any one would be justified in inferring that there was to be any abandonment of the system of protection. It was insisted by Mr. *Clayton* that the government could not be kept together if the principle of protection were to be discarded in our policy, and declared that he would pause before he surrendered that principle, even to save the union.

Mr. *Forsyth* regarded the clause as an absurdity, on which an argument either for or against protection might be erected; but as it was the only absurdity which was agreeable to him, among the many absurdities contained in the bill, he would vote for it.

Mr. *Holmes* said a few words to restore the senate to good humor, quoting the juvenile ballad:

Let dogs delight to bark and bite,
For God has made them so;
Let bears and tigers growl and fight,
For 'tis their nature, too.
But brethren you should never let
Such angry passions rise,
Your pretty hands were never made
To tear each others' eyes.

The question was taken, the yeas and nays being ordered, and decided as follows:

YEAS—Messrs. Benton, Dallas, Dickerson, Dudley, Knight, Prentiss, Robbins, Seymour, Silsbee, Tipton, Tomlinson, Webster, Wilkins, Wright—14.

NAYS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Foot, Forsyth, Grundy, Holmes, Johnston, King, Mangum, Miller, Moore, Naudain, Poindexter, Rives, Troup, Tyler, White—22.

So the amendment was rejected.

The amendment made in committee by inserting "steel" among the free articles, was not concurred in.

The other amendments were concurred in.

Mr. *Webster* then stated his intention to oppose the bill, on its general principles; but if the senate would take the question on the engrossment without calling the yeas and nays, he would postpone what he had to urge until the question should come up on its final passage.

The question was then put, and the bill was ordered to be engrossed.

On motion of Mr. *Clay*, the bill, as amended, was ordered to be printed, and 500 copies were ordered.

Mr. *Calhoun* then said, that as the whole of Monday would probably be occupied in this debate, he would postpone the consideration of his resolutions, which stood as the special order for Monday, until Tuesday.

At 9 o'clock the senate adjourned.

February 25. Mr. *Robbins*, from the committee on the library, reported a joint resolution authorising an extension of the subscription of congress to the continuation of the compilation of documents publishing by Gales & Seaton; which was read and ordered to a second reading.

On motion of Mr. *Smith*, the previous orders were postponed, and the senate proceeded to consider the bill making appropriations for the military service; which was considered, and ordered to a third reading.

The bill was then read a third time and passed.

Mr. *King* moved to suspend for two days the order which excludes all persons from the floor.

The *chair* stated that it would be impossible to preserve order, if the rule should be suspended. He understood that when the gallery fronting the chair was erected, it was intended that the first seats should be reserved for ladies; and although it was now filled with persons who undoubtedly had a right to occupy it, he was certain that it would be only necessary to make the suggestion, to induce every gentleman to retire from that position for the purpose of accommodating female visitors. At the same time, he signified his entire willingness to conform to the present motion, if such should be the unanimous wish of the senate.

No objection being made, the order was suspended.

The bill to modify the act of the 14th day of July, 1832, and all other acts imposing duties on imports, was read a third time, and the question being on its passage,

The yeas and nays were ordered on this question, on the call of Mr. *King*,

Mr. *Webster* then rose, and gave his sentiments in opposition to the bill. He paid, in the commencement, a tribute to the purity, zeal and ability of the senator from Kentucky, for whom he had so long entertained a high respect, and to elevate whom to a situation where his talents might be still more beneficial to his country, he had zealously labored. He also complimented the talents and services of the senator from South Carolina, with whom he had so often acted, and for whom he had always felt a sincere regard. He briefly reviewed his own course, when the former bills on the subject of the tariff were under consideration, and the conviction which was forced on the east, and other portions of the country, that the protective system was to be the settled policy of the government. New England had resisted, in the first instance, the establishment of a high protective policy; but when that was determined on, the eastern states turned all their natural advantages, and their capital of

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wealth and industry, into the new channel thus marked out for them. The bill of 1826 was to carry out the promises made by the bill of 1824. He disliked the bill of 1828, yet he had voted for it on account of that feature in it which gave the woollens the protection which the government had pledged itself to give by the law of 1824. That bill decided the policy of the country, unless it was to be kept in a state of perpetual fluctuation and uncertainty.

After passing the law of last session, a law containing some features of concession and compromise, when the country was not prepared for any change, the present bill, professing to be a bill of peace, of arrangement and of compromise, is brought forward by the distinguished senator from Kentucky, who professes to have renounced none of his former opinions as to the constitutionality and expediency of protection. The bill is also supported by a gentleman whose opinions are directly the reverse of those entertained by the senator from Kentucky. When it was supported by such opposite feelings, it was important to look into the provisions of the bill. He stated the various considerations which ought to weigh with those who, as friends of the protective system, voted for this bill.

He did not object to the prospective and biennial reductions made by the bill up to 1841, but he objected to the clauses which did, in effect, prohibit the repealing action of any subsequent congress upon this bill until 1842. He also objected to the proviso in the sixth section, which was a restriction on the power of congress. He put it to the senator from Tennessee. (Mr. *Grundy*), who had introduced the clause, to say if he did not intend that it should show that congress was to be considered as bound by the bill, as far as this congress could bind the future legislation of the country.

The protected articles may, by this bill, be reduced below 20 per cent. *ad valorem*, but cannot be raised above 20 per cent.

He opposed the bill because it imposed a restriction on the future legislation of congress. He also opposed it, because it seemed to yield the constitutional power of protection. Various arguments were advanced by him to show that the southern politicians would, if this bill were passed, tell every one of their constituents, that they had gained some concession to the opinions of the south. He said that he approved the sagacious silence of the southern gentlemen. They would not suffer themselves to be provoked by friend or enemy to speak before the time should come when they ought to speak. They were masters of the game, and they knew it. He commended their policy, but he wished them to see that he understood it. In giving up specific duties, and substituting *ad valorem*, the bill had abandoned the policy of all wise governments, and the policy of our own government, and the policy always advocated by the senator from Kentucky. He viewed the bill as a surrender of the interests of the smaller capitalists, and a concession in favor of overgrown monopolies. He pointed out the effects of this surrender on our own condition, and the handle which it would give to satirists, and foreign writers, and the poets laureate of all the monarchies of Europe, to turn our institutions and our pretensions into ridicule. If this principle were carried into our navigation, he stated that it would be immediately countervailed by Great Britain. By limiting our countervailing power, and leaving the countervailing power of Europe free, we put in her hands weapons to destroy us, and cast our weapons of defence at her feet. Under a colonial system, our manufacturers would not be more completely shackled than they will be by this bill.

He referred to the four powers by which the senator from Kentucky had said that our protective system could be preserved. 1st, prohibition. 2dly, the free list. 3dly, incidental protection—all of which would be found inadequate,—and the 4th, discrimination, or specific duties, was the only one which would avail. Discriminating and specific duties were the last resource, and if that were to be given up, there could be no longer any hope for the protective system, in war or in peace. He insisted, that not being owners of the property, but merely agents or administrators, we had no right to fetter a future congress. He regarded this bill as the last will and testament of this congress, which would be set aside by the people, but not on the ground of want of sanity in those principally engaged in making it, for he never saw gentlemen more fully in possession of that sagacity, nor on account of any undue influence, although he could not help thinking that panic had something to do with it, and that if the South Carolina ordinance and replevin law had not appeared, this bill would never have appeared in the senate.

In reference to the practical effect of the bill, he stated that he saw obstacles to the carrying this bill into effect, which appeared to him to be insurmountable. He thought that it would be difficult to ascertain the legal value of cotton. He took a view of the different values attached to cotton, and of the professional constructions to which the clause concerning cotton would be subjected. In relation to iron also, be thought that the difficulties in ascertaining the value would be such as to render the provision concerning that article inoperative. The duties on iron having hitherto been specific, no principle of valuation had been laid down. He considered that there was no legislative provision by which the value on iron could be assessed. The same remarks were applicable to sugar; and he stated a case to show the difficulty which exists in reaching a proper and fixed value as a basis for duty. He supposed the answer would be, that if difficulties arise, the secretary must get through them as well as he can; and if he cannot he must come to congress.

As a measure of finance, he had no idea that the bill would be an efficient measure. He had not heard the assertion that the bill would at all reduce the revenue. He denied that the reduction of duties on boots and shoes and clothing would reduce the revenue. The bill would, in these branches, reduce thousands of mechanics to ruin, and by this operation would increase the revenue. In this point, the bill aims a deadly blow on the poor, the young, the enterprising; on the labor and the ingenuity of the country. By the introduction of foreign alcohol, at a reduced rate of duty, the revenue would be increased; but he thought gentlemen should pause before they sanctioned this change. The entire breaking up of the printing establishments for printing calicoes would be one of the consequences of the passage of the bill; and in proof he read some extracts from a memorial of the Lowell manufacturers. These institutions might survive the three first reductions, but the fourth would be fatal to them. On the spinning and weaving, the effect, if not so disastrous, would scarcely be less objectionable. The large capitalists in that branch would be able to make money by breaking down all young and enterprising establishments. In reference to woollens, with a duty of 20 per cent. on woollens, and 20 per cent. on wool, it is impossible that they can stand. The depreciation of property would be the first consequence, and the depreciation of credit the next; and, by the surrender of their interests, long before this beneficent home valuation can come to their relief, their eyes will be sealed in death. As to iron, English iron or Wales costs 26 dollars a ton, and the supply is inexhaustible. Iron in Russia and Sweden costs 40 dollars a ton. English iron has been taxed 30 dollars, and Baltic iron 18 dollars a ton. The change from specific to ad valorem duty will work an injurious change. He believed that this surrender once made, we could never return to the present state of things, without such a struggle as would shake the country more than any thing has yet shaken it.

He might be wrong. There might be no pledge, no constitutional objection; but if so, why this bill? The people will not expect the passage of this bill. There was no expectation at the commencement of this short session that such a bill would be passed. The senate had not had time to know the pleasure of their masters. No opportunity had been offered for obtaining a knowledge of either the course of public opinion, or the effect of this measure on the public interests. It was said the next congress would pass this bill if it was not passed now. He did not fear the next congress; but if that body should choose to undo what was now done, it would have the power so to do.

If it was true, as the senator from Kentucky believed, that the intention of South Carolina was merely to enter into a law suit with the United States, then there was no necessity for this sacrifice of great interests. He believed that if this bill should become a law, there will be an action on the part of the people at the next session to overthrow it. It will not be all requiem and lullaby when this bill shall be passed. On the contrary, he believed there would be discord and discontent. He had already expressed his views as to reduction in his resolutions. He believed there ought to be a reduction to the point of necessary revenue; and that, as soon as that point could be ascertained, any congress would be able to make a tariff which would suit the country. The estimates of the secretary of the treasury as to the point of revenue, vary materially from those of others, but if the true point could be ascertained, he thought congress might at once proceed to an adjustment of the tariff with a prospect of success.

As he had commenced with doing justice to the motives of the gentlemen on the other side, he asked that equal justice might be done to him in the opposition which he was compelled to make to a measure which had been ushered in with so much profession of peace and harmony. He would do as much to satisfy South Carolina as any man. He would take this tariff and cut it down to the bone: but he did not wish to rush into untried systems. He believed that his constituents would excuse him for surrendering their interests, but they would not forgive him for a violation of the constitution.

Mr. *Clay* replied to the senator from Massachusetts. He paid a high tribute to the patriotism and purity of that gentleman, and said that he felt a deep and lasting regret that he had now to differ with him. He was happy, however, to find himself connected with his friend from Maine, with whom he had acted in the final adjustment of the Missouri question. He suggested that if the senator from Massachusetts could not make some appeal to a future congress for forbearance, he must be opposed to all compromise. He repudiated any share in bringing the existing evils on the country, and declared that when he saw the torch applied to a favorite system, he would rush to save it, and to restore security and peace. The honorable member had seen nothing within the last six months, calculated to shew that the tariff was not in danger. Had that gentleman not witnessed the results of the recent elections? Had he not heard the message which had been received from the president? Did he not know that a majority of the friends of the administration were opposed to the tariff? He wished to put the system on a permanent foundation for nine or ten years, that the manufacturer may go to his pillow at night without a fear that the system would be overthrown before morning. If he should have been able to convert a set of politicians, who had heretofore been steadily opposed to the protective system, into high tariff men, he should rejoice that he had been so successful in making proselytes. He maintained that the act of 1824 resorted to the policy of making a tariff without regard to revenue. He (Mr. C.) wished

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to be clearly understood as to the points which he had relied on for the protection of the industry of the country. He had named, 1st, prohibition—2dly, the imposition of high duties without regard to the amount of revenue—3dly, a limitation of the revenue affording protection as far as he could—and 4thly, by encouraging the manufacturers by letting in articles free of duty. He might have added a 5th mode, by regulating sales by auction, an important object which the manufacturers had solicited congress to accomplish, but which had not yet been done.

He expressed his willingness to have the effect of his bill to be decided by the opinions of the manufacturers themselves, a large number of whom are now assembled in Washington, and whose almost unanimous voice would be in favor of his bill. He referred to correspondence to prove that the bill before the house would be ruinous to their interests, while the bill before the senate would remove all fear of ruin. In reference to iron, he reminded the senator from Massachusetts, that, by a new process called coking, iron would soon be manufactured in this country at as low a rate as in England. His whole objection to the argument of the senator was, that he bounded forward to 1842, and undertook to phrophesy what would be the state of things at that period. He would as soon rely on the forecast of the senator from Massachusetts as on any member of the senate, or of the community; but he could not believe that the senator could see results which would be found to be dependent on so many contingencies. An American statesman will look abroad upon all the interests of the country, and would comprehend in one view all its condition. He was as insensible to fear as any one, and therefore the imputation that this measure was introduced under the influence of a panic, could not affect him. But he could not be insensible to the change which had taken place in the situation of things, even since the commencement of the session. At that time South Carolina [illegible] since then, Virginia had sent a commissioner, or a minister, to South Carolina, to induce her to delay her operations of hostility. If South Carolina should accede to her request, will not Virginia go with her in her ulterior measures, in case her grievances should not be redressed? Civil war might be the result. He was not willing to apply the sword to reduce the south to obedience. Not that circumstances might not arise, which would render it necessary to resort to force. But in reference to a foreign power, there was always a reluctance to engage in war, until every effort at negotiation had failed: and, if there was this unwillingness to engage in foreign war, how much more reluctance ought there to be to engage in a war at home, in a contest in which he who commands in chief might not be willing to stop until he should have placed himself on a throne. He did not fear any misconstruction of the pledge contained in the bill; and he hoped that the manufacturers would go on and prosper, confident that the abandonment of protection was never intended, and looking to more favorable times for a renewal of a more efficient tariff.

He saw no difficulty in putting an estimate on the value of cotton. Congress lays down the principle, and it will remain for the secretary of the treasury, under the direction of the president, to carry the law into effect. The rule is prescribed, and he could not anticipate any difficulty in acting upon it. He went somewhat at large into statements and arguments to sustain his position in reference to cotton. In the worst form of construction which could be put on the law by the secretary of the treasury, the cotton interest would enjoy a sufficient protection until the year 1841. He shewed what would be his own construction, which would leave that interest in a still better condition. It would be competent, however, for congress, who would again be in session before this law could go into effect, to correct any errors which might be made. In reference to the powers of the secretary to cause a proper appraisement to be made, he quoted from the act of 1832; but repeated that any difficulty in this matter could be obviated by congress at its next session. He referred to the reductions which would be effected by this bill in the article of silks, and in other items. But even if the reductions should be down to the revenue point, there was a reservation to augment or diminish the revenue as circumstances might require. He stated that the last series of gradations in 1841 would leave the duties on woollens at 38 per cent. There were, he said, two classes of manufacturers, the political and the business manufacturers. The political manufacturers were unwilling to give up any thing; but there was not a business manufacturer within his knowledge who was not satisfied with the present bill. He explained his bill as going on the broad principle of looking to the interests of all, and embracing the safety and security of all, and the conciliation of the country. He asked if the senator from Massachusetts was not willing that opposite interests should unite for the purpose of bringing about harmony and good feeling. The south had given up her constitutional objections, and had also yielded the home valuation, and it could not be said, therefore, that there had been no sacrifice of her interests. There had been, therefore, no abandonment of principle, but all parts of this great family had come together prepared to make mutual concessions for the purpose of restoring harmony.

[It being near 4 o'clock, a motion was made by Mr. *Wilkins* and Mr. *Ewing*, in succession, to take a recess for two hours, but on some opposition made by Mr. *Calhoun* and others, Mr. *Clay* said he was willing to hobble on, and the motion was withdrawn.]

Mr. *Clay* then resumed, and stated that the manufacturers of iron would more readily be satisfied by this bill than other proposition which had been offered. There were some who had said, let the tariff go down, if the next congress chooses, there will be a reaction afterwards, but he thought that these gentlemen took counsel of passions above which it was the duty of statesmen to elevate themselves. He was for encountering no certain danger for the purpose of providing some uncertain good. He wished to compromise all interests, and it was with this same policy, that he had proposed another great measure, which had twice received the sanction of a majority of the senate. He would not acquiesce in the views of those who relied on reaction. Similar was the expectation, at the last session, but there had been no beneficial result. He was for conciliating all interests, let whomsoever might fail, and whomsoever might succeed. He regretted that the bill, in select committee, had been injured by striking out the clause making cotton free, and stated that this was not done by his vote, or by that of his friend from Delaware. Still it was a measure calculated to promote the great object for which it was introduced. He was not disposed to throw himself forward to 1842, but he did not think that there was any cause for apprehension as to the provisions which look to that period.

The opponents of the bill would send out a flaming sword: the friends of the bill would send out a flaming sword, accompanied by the olive branch. The gentleman from Massachusetts had thought proper to say that he (Mr. *Clay*) would have voted for the revenue collection bill. It was true he would have voted for it, but he felt no new born zeal prompting him to make speeches on the subject.

He thought of the administration as he always had thought, and he had determined to leave it to the friends of the executive to bear themselves out in defence of the bill. He would have voted for it, but it would have been with reluctance, because of the consequences which may result from the measure. He stated that, with some exceptions, as to the high-toned doctrines which were to be found in the document, he approved of the general tone of the proclamation of the president, and of his message to the senate on the subject of South Carolina.

The opponents of this bill rely on force; its friends cry out force and affection. One side cries out—power! power! power! The other side cries out power, but desires to see it restrained and tempered by discretion and mercy, and not to create a conflagration from one end of the union to the other. He believed the gentlemen who opposed the bill did not wish for civil war, but the defeat of the bill would lead to consequences to be deplored. And he would not wish to see sacked cities, desolated fields, and streams of American blood shed by American citizens.

He had been accused of ambition in introducing this measure. He despised the grovelling spirits from which the charge came, and dismissed the accusation to the winds. If congress would pass this bill, he would willingly retire to his home, to the groves of Ashland, where he could find a fidelity and an affection which he had not always found in public life.

Mr. *Smith* said this bill did not reduce the revenue one dollar. There will be no reduction, but the importations would be restricted.

After speaking for a few minutes, Mr. *Smith* gave way at half past 4, and

Mr. *Silsbee* moved that the senate take a recess till 6 o'clock—ayes 17, noes 19. So the motion was negatived.

Mr. *Smith* then resumed, and went into a review of the various sections of the bill. He agreed with the senator from Massachusetts that this bill repeals the whole of the ground on which our revenue system was built.

Mr. *Robbins* then moved that the senate take a recess till 6 o'clock—ayes 17, noes 17.

The *chair* voting in the affirmative, it was ordered that the senate take a recess till 6 o'clock.

Evening session.

At 6 o'clock the senate re-assembled its session, and resumed the consideration of the tariff bill; when

Mr. *Smith* said a few words against the bill.

Mr. *Bell* spoke briefly in favor of the bill.

Mr. *Dickerson*, after some remarks, moved to *recommit* the bill to the committee from which it was reported, *with instructions* so to amend it that the gradual reductions of duties shall not be more unfavorable to those articles which are subject to a specific duty than to such as are subject to ad valorem duties.

Mr. *Grundy* asked the yeas and nays on the motion; which were ordered.

Mr. *Sprague* made a few remarks in favor of the bill.

Mr. *Dickerson* made some observations.

Mr. *Clay* then rose, and said that as it was understood that a similar bill had been ordered to be engrossed for a third reading in the other house, he would move that the senate now adjourn. The senate then adjourned.

February 26. The following resolution offered yesterday by Mr. *Bibb*, was taken up and agreed to:

Resolved, That the secretary of state be directed to lay before the senate, as soon as his duties will permit, a statement, showing the increase per centum of the white population of each state and territory of the United States, at the several decimal periods from the year 1790 to 1830 exclusive. Also the per centum of increase of slaves and free persons of color, showing the relative proportion which such increase may bear to the white population; also, the increase per centum of aliens within the same period, and the proportion that increase may bear to native and naturalized citizens. Also the increase per centum of the

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militia force of the United States, together with such other statistical information bearing on the same, as the secretary may deem useful and expedient.

On motion of Mr. *Hendricks*, the senate proceeded to consider the bill for the continuation of the Cumberland road, in the states of Indiana and Illinois.

Mr. *Hendricks* moved to amend the bill, by inserting an additional appropriation of 125,000 dollars, for repairing the Cumberland road east of the Ohio.

The amendment was agreed to; as well as another to authorise a change in the location of a certain part of the road, and the bill ordered to be read a third time.

Mr. *Grundy*, from the joint committee appointed to wait on the president and vice president elect, made the following report:

"The joint committee appointed to wait on the president and vice president elect, and notify them of their election, report that they have performed that duty in part, and have waited on Andrew Jackson, of Tennessee, and informed him of his election to the office of president of the United States, for four years, commencing on the 4th of March next, and received from him, in answer to the communication made by us, that he felt grateful for this manifestation of the continued public confidence and favor, and would endeavor to merit a continuance of the approbation of his fellow citizens, by constant efforts, so to discharge his duties, as to promote the welfare of our common country."

The *chair* laid before the senate a report from the secretary of war, communicating a statement of arms manufactured at the national armories, and expenditures there, which was ordered to be printed.

The resolutions offered sometime since by Mr. *Calhoun* were taken up; and Mr. *Calhoun*, at considerable length, took an opportunity to reply to Mr. *Webster* on certain points made in the debate on the bill further to enforce the collection of duties on imports, and Mr. *Webster* rejoined. Messrs. *Sprague* and *Forsyth* also made a few remarks. After which Mr. *Calhoun* consented that his resolutions should be laid on the table, without an intention to call them up again.

The bill from the house to modify the act of the 14th of July, and other acts imposing duties on imports, was read a first time, and ordered to a second reading.*

The bill of the senate on the same subject was then laid on the table. The senate then adjourned.

[Mr. Calhoun's constitutional argument this day, and Mr. Webster's reply were very interesting, and shall be preserved. In the course of his remarks, Mr. C. seemed to imply that Mr. W. wished to win favor in a certain quarter—(with the administration), which Mr. C. explained and said he had not imputed such motives—Mr. Webster saying he had no new born zeal, nor had he, in any way, altered his views concerning the administration, &c. Mr. Calhoun alluded to a "particular population in the south." Mr. Webster said that no northern gentleman desired to produce evil out of it—and so Mr. C. said that he believed—but the "inevitable current of things" was to disturb this population.]

February 27. The bill to modify the act of the 14th July, and other acts imposing duties on imports, was read a second time.

The bill being then considered as in committee of the whole, Mr. *Clay* then moved that the bill be reported to the senate.

Mr. *Grundy* inquired, if the senator from Kentucky had examined the bill to ascertain if it was the same as the bill which had been before the senate.

Mr. *Clay* replied in the affirmative: and said, that he believed it corresponded word for word with the other bill.

Mr. *Dickerson* moved to amend the bill by adding a provision, that the rule by which the graduation of duties shall be made, shall be the annual report of the state of commerce and navigation, for the last year.

Mr. *Clay* opposed the amendment, because he thought that it was founded on a total misapprehension of the bill. There would be now no difficulty in executing the law, if the secretary of the treasury should take it up in the spirit in which it will be passed. At the next session there will be a month before the bill will go into operation, while there are but three days left of this session, and any amendment made now must hazard the measure. He would take the example of the framers of the constitution and follow it. They said, make the constitution, and let it be amended afterwards, and not now hazard the measure.

Mr. *Webster* said, that although he thought that some amendments were indispensably necessary, yet if the bill were to pass, it ought to pass at once, and he hoped his friend, from New Jersey, would withdraw his amendment, and leave the matter to stand over until next session.

Mr. *Smith*, referring to the state of another bill, said that he would now give notice that he should to-morrow move to lay this bill on the table, until the ensuing bill shall have passed.

Mr. *Clayton* said, that although he was in favor of the principle of the amendment, he should vote against it, because he thought that it would, at this period of the session, hazard the passage of the measure.

Mr. *Robbins* expressed a wish to state his objections to the bill, but on the suggestion of

Mr. *Clay*, who said he would not press the third reading today,

Mr. *Robbins* gave way until the question on the third reading should come up.

The bill was then reported without amendment, and ordered to be read a third time.

Mr. *Chambers* moved to postpone the preceding orders, for the purpose of taking up the joint resolution extending the subscription made to the compilation of documents, now in progress by Gales & Seaton, to the continuation of the same; which was agreed to.

The resolution was then read a second time, and considered as in committee of the whole.

Mr. *Hill* asked what was the cost of the documents already printed. Mr. *Robbins* said he was not prepared to answer.

The resolution was then reported without amendment. The question being on the third reading of the resolution, Mr. *Hill* asked for the yeas and nays, which were ordered.

After a few words from Mr. *Chambers* and Mr. *Robbins*, the question was taken and decided as follows:

YEAS—Messrs. Bell, Black, Chambers, Clay, Clayton, Ewing, Foot, Frelinghuysen, Hendricks, Holmes, Kane, Knight, Naudain, Poindexter, Robbins, Robinson, Seymour, Silsbee, Tipton, Tomlinson, Waggaman, Webster—22.

NAYS—Messrs. Benton, Buckner, Dallas, Dickerson, Grundy, Hill, King, Moore, White—9.

So the resolution was ordered to be engrossed and read a third time.

Mr. *Foot* moved to reconsider the vote of yesterday, by which the resolution offered by Mr. *Buckner* was agreed to. It was his object to refer the resolution to the committee on the library. He said that he was not aware of the extent to which the resolution went, until he saw it in the papers.

The motion was laid on the table.

A great deal of other business was attended to, and variously forwarded for final action—all which will fully appear in the list of acts, &c.

The senate took a recess till 5 o'clock.

In the evening session, a large number of private bills were ordered to a third reading.

February 28. The following resolution offered yesterday by Mr. *Chambers*, (because of the abandonment of all hope of acting on the subject at the present session) was taken up and agreed to—

Resolved, That the secretary of the senate cause to be published during the recess of congress, six hundred copies of the system of civil and criminal laws, reported by the joint committee appointed for that purpose; and also cause an index to the same to be made, one copy whereof shall be delivered to each member of the next congress, and the residue to such persons as may be designated by the said joint committee.

The senate made extra allowances to the door keepers, messengers, &c. and then, spending some time in executive business, took a recess till evening. We have no account of the proceedings of the evening session.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 20. Mr. *Washington*, by leave, presented a remonstrance and memorial of a committee appointed at a large and highly respectable meeting of the citizens of Washington, in general town meeting assembled, on behalf of all the citizens of said city, against the memorial of the Baltimore and Ohio rail road company, which was presented to the house on the 18th inst.; which remonstrance and memorial was referred to the committee on roads and canals.

Mr. *Root* offered the following resolution:

Resolved, That the clerk of this house procure for the use of the members two thousand copies of the manual on silk, published by J. H. Cobb, of Dedham, in the state of Massachusetts, provided the cost shall not exceed one thousand dollars.

Mr. *Clay*, of Alabama, moved to lay it on the table.

Mr. *Arnold* demanded the yeas and nays—which being taken stood as follows: yeas 61, nays 74—so the house refused to lay the resolution upon the table.

Mr. *Root* then delivered a very animated speech in its support; in which he commented, with some severity, on Mr. *Clay's* attempt to defeat the measure before a word could be heard in its favor.

Mr. *Clay* rose to reply, when

Mr. *Hoffman* rose and announced to the house the decease of *James Lent*, jr. a member of the house of representatives from the state of New York. After some appropriate remarks, Mr. H. submitted the following resolutions, which were unanimously adopted:

1. *Resolved*, That the members of this house, will testify their respect for the memory of *James Lent*, deceased, late a member of this house from the state of New York, by wearing crape on the left arm for the remainder of the present session of congress.

2. *Resolved*, That this house will attend the funeral of the late *James Lent*, to-morrow, at 11 o'clock, A. M. and that a committee be appointed to take order for, and to superintend, the said funeral.

3. *Resolved*, That a message be sent to the senate to notify that body of the death of *James Lent*, late a member of this house, and that his funeral will take place to-morrow, at 11 o'clock.

The house then adjourned.

Saturday, Feb. 23. After attending the funeral of the deceased member, Mr. *Lent*, the house pursuant to adjournment, assem-

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*This is Mr. Clay's bill, adopted by the house of representatives and passed, in lieu of Mr. Verplanck's—for the reason assigned in page 1.

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bled at 2 o'clock, but no quorum appearing, a motion for adjournment prevailed, and the house adjourned.

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The following were the observations made by Mr. *Hoffman*, of New York, in announcing to the house the death of his late colleague:

Mr. Speaker: It becomes my melancholy duty to announce to the house the death of my friend and colleague, the hon. *James Lent*. After a short illness, but exceedingly severe, he died last evening at a late hour.

I do not intend to detain the house by a detail of his private virtues. As a son he was dutiful to his parents; as a husband, most affectionate to his wife; as a parent, kind and indulgent, but prudent to his children; and their tears and afflictions which I have in part witnessed, are the best testimonials of his private worth.

In early life, destined to the mercantile profession, that spirit of enterprise which characterises our people, led him to visit the farther East—India and China. There, he had an opportunity of observing the manners, morals, religion, and political institutions of those remote and distant nations, and of comparing them with the manners, morals, religion, and political institutions of his native country. That comparison led him to a strong conclusion in favor of our religion and political institutions over those of the most civilised nations of the east—a preference decided and manifest in his whole after life.

As a citizen, he was liberal without ostentation. With a mild and amiable heart, practising the kindest condescension of manner, he was in all things inflexible in his devotion to duty. Instructed by experience, he was always *useful* and always *honest*. If he did not, from the modest diffidence of his temper, mingle publicly in our discussions here, with a correct knowledge of trade and business, he frequently aided by his own the judgment of others.

I have known him well. In an intimate acquaintance of several years while we have been members of this house, in every thing public and private, I have found him eminently distinguished for purity of heart, uprightness of intention, and justness of design. If others here have won my esteem, and many have; none has deserved or acquired a stronger hold on my best affections. As the deceased intimated no wish as to the disposition of his remains, I move you these three resolutions expressive of that respect I feel for him, and in which the house will concur.

Monday, Feb. 25. After the morning business, which resulted only in laying certain bills on the table—

Mr. *Wickliffe* moved that the house proceed to the special order of the day, (which is the tariff bill).

Mr. *Bell* hoped the house would not do so until it had first disposed of the bill from the senate.

Mr. *Bouldin* moved a call of the house.

Mr. *Wickliffe* said that if the house proceeded to the order of the day, he hoped they would dispose of the amendments to the bill before it, when he should offer another bill to reduce the tariff, such as he hoped would unite the votes of a majority of the house.

Mr. *Bouldin* withdrew his motion for a call.

Mr. *Wickliffe* then said, that as Mr. *Bell* opposed the execution of the special order, he would ask the yeas and nays upon his motion to execute it. They were ordered by the house, and being taken, stood as follows: yeas 80, nays 106.

So the house refused to proceed to the orders of the day.

Mr. *Vance* moved to go into committee of the whole on the state of the union and take up the bill from the senate on the subject of disposing of the proceeds of the public lands for a limited time.

The *chair* decided that such a motion could not be made until the house had reached the orders of the day.

Mr. *Vance* took an appeal.

The *speaker* explained his decision, and Mr. *Vance* the grounds of his appeal.

Mr. *Wickliffe* then suggested that the vote taken by yeas and nays, refusing to execute the special order of the day, was insufficient to prevent the taking up of that order, inasmuch as the rule to go into the special order every day at one o'clock, had been passed by two-thirds, it would require two-thirds to prevent it.

The *speaker* said it was too late to make this question now, as other business was before the house.

Mr. *Daniel* said he should insist on the same ground, and would take an appeal.

The *chair* said there was already an appeal before the house.

Mr. *Vance*, in order to have the question tried, withdrew *his* appeal.

Mr. *Daniel* then appealed, and insisted that the special order should be executed.

The question of order was argued by Messrs. *Wickliffe, Carson, Taylor, Thompson*, of Geo. *Daniel, Sutherland* and *Dearborn;* after which

Mr. *Daniel* withdrew his appeal.

Mr. *Williams* now moved to postpone all the orders of the day which precede the bill from the senate on disposing of the proceeds of the public lands.

Mr. *Carson* inquired whether the tariff bill was included in the orders?

The *chair* replied in the negative.

Mr. *Carson* appealed from this decision.

The *speaker* said no appeal could lie, as the motion was to postpone all the orders, whatever they might be.

Mr. *Williams* inquired whether two thirds were necessary to postpone all the orders?

The *chair* replied in the affirmative.

Mr. *Williams* then moved the postponement of each particular bill as they were announced in succession.

On postponing a bill in relation to the territory of Michigan, Mr. *Plummer* delivered a long and earnest remonstrance—but the bill was postponed.

On postponing the Virginia military land warrant bill Mr. *Lewis* demanded the yeas and nays, but the house refused to order them.

The house at length arrived at the senate's bill *further to enforce the collection of the revenue.*

The bill was read a first time.

Mr. *Whittlesey* moved that it now have its second reading.

Mr. *Lewis* moved to postpone the bill until to-morrow.

Mr. *Williams* moved to lay the bill on the table.

Mr. *Boon* asked the yeas and nays on the motion. They were ordered and taken—and stood as follows: yeas 58, nays 125.

The bill then had its second reading.

Mr. *Carson* moved to *refer* the bill to the committee of the whole on the state of the union.

After some discussion on this motion—

Mr. *Bell* moved to postpone the bill to to-morrow.

The debate continuing with great animation—

Mr. *Wickliffe* moved a postponement till Thursday.

The debate continued with increasing earnestness until 5 o'clock, when the question was decided by yeas and nays as follows—yeas 77, nays 108.

Mr. *Bates*, of Maine, moved to postpone till Wednesday; which, after a short discussion, was also negatived by yeas and nays—yeas 84, nays 99.

Mr. *Wickliffe* immediately moved that the house proceed to execute the special order, by taking up the tariff bill.

The motion prevailed, and on motion of Mr. *Letcher*, the house went into committee of the whole, under instructions to strike out the body of Mr. *Verplanck's* bill, and insert that of Mr. *Clay*, from the senate. This was done. The bill was reported to the house, and after a brief debate it was ordered to its third reading—yeas 105, nays 71. The house adjourned at half past 8 o'clock.

Tuesday, Feb. 26. Mr. *Hogan* moved to refer the report of the naval committee, in regard to alleged abuses in the navy, together with the accompanying papers, to the secretary of the navy.

Mr. *Watmough* made a spirited opposition to the motion, and in vindication of the officers of the navy, concluded by moving to lay the subject upon the table.

Which motion was agreed to.

The other morning business will sufficiently appear in its progress. The house proceeded to the orders of the day.

The tariff bill, as amended, by inserting the whole bill of Mr. *Clay*, in the shape in which it has been ordered to a third reading in the senate, was read a third time, and the question being on its passage—

Mr. *Huntington*, after a few remarks on the great importance of this question, moved a call of the house.

The house was called accordingly.

It appeared that 201 members were present.

Mr. *Burges* moved to suspend further proceedings on the call, but the motion failed—ayes 69, noes 78.

The doors were then closed, and the excuses of absentees received. Proceedings were then suspended, and the doors of the hall again opened.

Mr. *Burges* remonstrated very warmly against the passage of the bill; and in the course of his remarks adverted with some severity to the agency of Mr. *Clay*, in originating the measure.

Mr. *Jenifer* replied with warmth to this part of the speech, and vindicated the purity of Mr. *Clay's* motives and purposes.

Mr. *Foster* said his constitutional objections to the bill had been removed by a closer examination of its provisions. Still he did not like the bill, but was willing to take it as an experiment.

Mr. *Denny* delivered, at considerable length, the reasons that would induce him to vote against the bill.

Mr. *Daniel* replied to the remarks of Mr. *Burges* in respect to Mr. *Clay*, and vindicated the general objects of the bill. He demanded *the previous question;* but withdrew his motion at request of

Mr. *Burges*, who briefly, but very severely rejoined.

Mr. *Sutherland* then made a highly animated speech in opposition to the bill.

Mr. *Carson* demanded the previous question; but the motion failed, only 65 rising to second it.

Mr. *Bates*, of Maine, then gave the reasons why he should vote for the bill; and

Mr. *Pendleton* stated the grounds upon which he should vote against it.

Mr. *McDuffie*, though not believing the bill proposed to make to the south all the concession to which they were justly entitled, yet he believed, such as it was, it would give peace to the country, and therefore would vote for it.

Mr. *Speight* moved the previous question, but immediately withdrew the motion.

Mr. *Huntington* asked for the yeas and nays on the passage of the bill, which were ordered.

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Mr. *Bates*, of Mass. made his protest against the bill, as a total surrender of the principle of protection.

Mr. *Williams* now moved for the previous question.

The motion was seconded—ayes 93, noes 65.

Mr. *Dickson* called for the yeas and nays on the previous question, and they were ordered by the house.

The previous question was then put as follows:

Shall the main question be now put?

The yeas and nays being taken, stood—yeas 108, nays 85.

The main question, viz: shall this bill pass? was then put, and decided by yeas and nays, as follows:

YEAS—Messrs. Adair, Alexander, Chilton Allan, R. Allen, Anderson, Angel, Archer, Armstrong, Arnold, J. S. Barbour, Barnwell, Barringer, James Bates, Bell, Bergen, Bethune, James Blair, John Blair, Boon, Bouck, Bouldin, Branch, John Brodhead, Bullard, Cambreleng, Carr, Carson, Chinn, Claiborne, Clay, Clayton, Coke, Connor, Corwin, Coulter, Craig, Creighton, Daniel, Davenport, W. R. Davis, Doubleday, Drayton, Draper, Duncan, Felder, Findlay, Fitzgerald, Foster, Gaither, Gilmore, Gordon, Griffin, Thomas Hall, William Hall, Harper, Hawes, Hawkins, Hoffman, Holland, Horn, Howard, Hubbard, Irvin, Isacks, Jarvis, Jenifer, Richard M. Johnson, Cave Johnson, J. Johnson, Kavanagh, Kerr, Lamar, Lansing, Lecompte, Letcher, Lewis, Lyon, Mardis, Mason, Marshall, Maxwell, Wm. McCoy, McDuffie, McIntire, McKay, Mitchell, Newnan, Newton, Nuckolls, Patton, Plummer, Polk, Rencher, Roane, Root, Semmes, Sewell, Wm. B. Shepard, Aug. H. Shepperd, Smith, Speight, Spence, Stanberry, Standifer, F. Thomas, P. Thomas, Wiley Thompson, John Thomson, Tompkins, Verplanck, Ward, Washington, Wayne, Weeks, Elisha Whittlesey, Camp. P. White, Edward D. White, Wickliffe, Williams, Worthington—118.

NAYS—Messrs. Adams, H. Allen, Allison, Appleton, Ashley, Babcock, Banks, N. Barber, Barstow, I. C. Bates, Beardsley, Briggs, John C. Brodhead, Bucher, Burd, Burges, Cahoon, Chandler, Choate, Collier, L. Condict, S. Condict, E. Cooke, Bates Cooke, Cooper, Crane, Crawford, J. Davis, Dayan, Dearborn, Denny, Dewart, Dickson, Ellsworth, Geo. Evans, Joshua Evans, Edward Everett, Horace Everett, Ford, Grennell, Hiland Hall, Heister, Hodges, Hogan, Hughes, Huntington, Ihrie, Ingersoll, Kendall, Kennon, Adam King, John King, Henry King, Leavitt, Mann, McCarty, Rob't McCoy, McKennan, Mercer, Milligan, Muhlenburg, Nelson, Pearce, Pendleton, Pierson Pitcher, Potts, Randolph, J. Reed, Edward C. Reed, Russel, Slade, Southard, Stephens, Storrs, Sutherland, Taylor, Vinton, Wardwell, Watmough, Wilkin, Wheeler, Fred'k Whittlesey, Young—84.

So the bill was *passed*, and sent to the senate for concurrence.

Mr. *Williams* now moved to postpone all the orders of the day, both general and special, which precede the senate's bill for the disposition of the proceeds of the public lands. He, however, consented to withdraw this general motion, and allow the orders to be called separately.

They were so called; and when the house had reached the bill for allowing the heirs of Winter to sue the United States to try their title,

Mr. *Plummer* made an effort to induce the house to discuss that bill; but the house refused; and, on motion of Mr. *Irvin*, it was laid upon the table.

The house having at length arrived at the bill further to provide for the collection of duties on imports—

Mr. *Williams* moved to postpone this bill until to-morrow.

Mr. *Irvin* demanded the yeas and nays on the motion. They were taken, and stood as follows: yeas 81, nays 105.

So the house refused to postpone the bill.

Mr. *Daniel* now moved to lay the bill on the table, and demanded the yeas and nays on that motion. They were ordered by the house. He, however, consented to withdraw the motion at the request of Mr. *Arnold*, who promised to renew the same motion.

Mr. *Arnold* then said he should change his course in relation to this bill, in consequence of the house having passed the bill reducing the tariff. Mr. A. was going into some remarks on the mockery of passing such a bill now, when he was called to order by the *chair*. After trying several motions, with the view of having it in order to proceed in his remarks, Mr. A. relinquished his design, and, according to promise, moved to lay the bill on the table.

The yeas and nays were demanded on this motion, and being taken, they stood as follows: yeas 58, nays 132.

So the house refused to lay the bill on the table.

Mr. *Mardis* moved that the house now take a recess until 6 o'clock, and demanded the yeas and nays, but withdrew his motion; when

Mr. *Dearborn* moved the previous question on the bill.

The *chair* was ascertaining whether the motion was seconded, when

Mr. *McDuffie* rose and asked leave to address an appeal to the house.

The *speaker* was proceeding in the count, when

Mr. *McDuffie* insisted on being heard.

Great confusion arose: but amidst cries of "order" and "count," Mr. McD's voice was heard, saying that all he asked was fair discussion. If gentlemen were disposed to hear the opponents of the bill, he was ready to meet them, but if not, and if he could get forty men to stand by him, he would continue to move adjournments and call for yeas and nays until the end of the session.

Mr. *Carson* exclaimed "I will support you, sir"—several other voices cried out in a similar manner.

The *speaker* called to order.

Mr. *Bell* rose and began to speak, but his words were inaudible from the noise.

Mr. *McDuffie* moved repeatedly to adjourn.

The *speaker* called him to order, and admonished him that a member was on the floor.

As soon as the reporter could hear any thing distinctly,

Mr. *Bell* was saying, that be had no wish to cut off discussion, if that was what the opponents of the bill desired; and if they were ready to discuss its merits, and not to put it by, he should not sustain the motion for the previous question.

Mr. *McDuffie* moved that the house adjourn.

The *chair* decided the motion to be out of order, the house having previously resolved, that it would at a certain hour take a recess, and meet at 6 o'clock.

Mr. *Wayne* believed the bill to be right in itself—but yet, circumstances might be such as to induce those who thought so to vote against it.

Mr. W. said he should vote for the bill; but, if his friends, by cutting off debate, should refuse to him and others, the opportunity of expressing their sentiments, and vindicating their own course before the people, he should not vote against it; and there were twenty more that would do the same.

Mr. *Bell* made some remark not heard by the reporter, which led to an explanation between him and Mr. *Wayne*—who concluded by moving a recess until 6 o'clock.

A desultory debate on the question of order now arose, on an appeal taken by Mr. *Carson*, on the speaker's decision, that a motion to adjourn was out of order, which ended in Mr. *Carson's* withdrawing his appeal.

Mr. *Dearborn* explained his reasons for having moved the previous question—which was not to prevent fair discussion, but to prevent a circumventive course, calculated to get rid of or defeat the bill.

Mr. *Daniel* and Mr. *Dearborn* had some further, rather colloquial, discussion; when the hour of four having arrived, the house took a recess till 6 o'clock.

Evening session.

The house met at 6 o'clock, and proceeded in committee of the whole, Mr. *Taylor* in the chair, to the consideration of District business, on which it was still engaged at 8 o'clock, at which time the following bills had been considered and laid by, to be reported to the house, viz:

A bill to incorporate the Georgetown orphan asylum and free school.

A bill to improve the navigation of the Potomac river, between Georgetown and Alexandria.

A bill in addition to an act vesting in the corporation of Washington all the rights of the Washington canal company. [To take back the Mall lots, and allow in lieu thereof, to the city, $150,000].

A bill concerning a penitentiary for the District.

A bill granting certain lots to the president and directors of Georgetown college.

A bill in relation to the Potomac bridge.

Wednesday, Feb. 27. After some private or local business had been disposed of

Mr. *Adams* moved to discharge the committee on manufactures from the consideration of so much of the president's message as relates to the protection of domestic manufactures, and from all other matters referred to them; and asked leave to present a report from the minority of the committee on the matters in the message.

At the suggestion of Mr. *Hoffman*, the motion was divided, and the question first taken on discharging the committee, and agreed to.

Mr. *Hoffman* then said that if leave should be given to present the report of the minority, he would ask for its reading, at least in part.

The report was then presented, and the reading of it commenced, and continued until 12 o'clock, when the house proceeded to the orders of the day.

Certain bills relating to the affairs of the District of Columbia were read a third time and passed.

The senate's bill further to provide for the collection of the revenue (the enforcing bill), coming up in order,

Mr. *Verplanck* moved to postpone its consideration until to-morrow, with a view to take up the appropriation bills.

Mr. *Wickliffe* gave notice of his purpose to make a question of order whether this bill could be discussed in the house before it was discussed in committee of the whole.

On the question of postponement a very animated and somewhat desultory debate arose, in which it was very difficult to avoid running into the merits of the bill.

The gentlemen who participated in the debate were Messrs. *Cambreleng*, *Bell*, *Sutherland*, *Howard*, *Wickliffe*, *Dearborn*, *Verplanck*, *Wayne*, *Daniel*, *Hoffman*, *McDuffie*, *Blair*, of South Carolina, *Beardsley*, *Clayton*, *Burges* and *Hawes*.

When the question was at length taken, and decided by yeas and nays as follows: yeas 70, nays 127.

So the house refused to postpone.

Mr. *Carson* now rose to address the house, and had proceeded some time, when

Mr. *Wickliffe* rose to make the question of order, to which he had before alluded, whereupon a very confused scene ensued—

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the particulars of which, together with the other details of the debate, we must for the present defer. The result was that the decision of the *chair* was sustained by the house, and Mr. *Carson* was permitted to proceed: he thereupon resumed, and continued to occupy the house in opposition to the bill until near 4 o'clock, when, on motion of Mr. *Clayton*, the house took a recess till 6 o'clock.

Among the proceedings of this day, we have the following:

On the bill further to provide for the collection of duties on imports—

Mr. *McDuffie* said—A bill which might be regarded as the olive branch had been passed and sent to the senate—he would put it to the justice and magnanimity of the house whether the olive branch should be followed by the *sword of blood*. There was no necessity for this bill. The other bill would be found to carry healing efficacy with it. If any thing could convert it into a curse it would be the present bill.

Mr. *Blair*, of South Carolina, said his colleague had expressed an opinion that the tariff bill which had been sent to the senate was the olive branch of peace—that might be his opinion as an individual. It was not in the power of that or any other gentleman here to express the sentiments of the convention of S. Carolina which had solemnly declared, that unless the whole protective system be overthrown, the revenue laws should not be executed. The house had no right to presume that the convention would recall this declaration in consequence of the passage of a bill which contained protection throughout all its provisions.

For himself, he was indifferent on the subject; but it should be remembered, that unless some effectual measures were adopted, a large part of the population of South Carolina were exposed to confiscation and punishment for paying obedience to your laws.

Mr. *Burges* said it would not be suspected of him that he was a friend to the present administration. He was a friend to the laws of the land, and, to ensure their execution, it was altogether essential that this bill should pass. Is it necessary, before we provide for obedience to the laws, that we should be informed whether South Carolina intends further to resist them? He was willing to admit that gentlemen, intimately connected with the recent course taken by that state—with what degree of credit to themselves history will inform the world—had expressed opinions that the bill sent to the senate would be satisfactory to the people of that state. Where then is the harm of passing this bill? If they intend to obey the laws, no provision in this bill could touch them. The objection on the part of that state could only arise from a determination to resist the execution of the laws which had been nullified, which formed the basis of the bill sent to the senate. Without this bill that measure was only throwing a volume of paper upon the burning flames.

Evening session. The house, at 6 o'clock, resumed its sitting—when Mr. *Clayton*, of Georgia, who had the floor, delivered a very animated speech in opposition to the revenue collection bill.

Mr. *Isacks* replied ably, and insisted on the necessity of passing the bill to vindicate the authority and honor of the government.

Mr. *Blair*, of South Carolina, followed on the same side, and made some pretty severe animadversions on nullification and secession, &c.

Mr. *Root* delivered an animated speech against the bill.

Mr. *McDuffie* expressed his desire of being heard before the bill should pass, and moved that the house adjourn. The house then adjourned, [at about 10 o'clock].

Thursday, Feb. 28. After various resolutions, &c.

The *speaker* laid before the house sundry communications, viz.

1. A letter from the secretary of war, transmitting a statement of the expenditures incurred, and of arms manufactured at the national armories in the year 1832; which letter and statement were laid on the table.

2. A letter from the secretary of state, transmitting an abstract of all the returns made to the department of state, by collectors of the different ports, for the year 1832. And, also, an abstract of all the passengers which arrived in the United States, during the year ending September 30, 1832; which letter and abstracts were laid on the table.

3. A letter from the first comptroller of tha treasury, transmitting a list received from the register of the treasury, of the balances standing on the books of the revenue, which have remained unsettled by collectors of the customs, and others, or appear to have been due more than three years prior to the 30th of September last; which letter and list were laid on the table.

4. A letter from the postmaster general, transmitting a list of the names of the persons employed as clerks in his department during the year 1832, with the salary of each; which letter and list were laid on the table.

Mr. *Adams* moved that the further reading of the report made by him from the minority of the committee on manufactures be dispensed with, and that it be laid on the table and printed.

Mr. *Hoffman* demanded a division of the question.

It was divided accordingly.

The motion to lay on the table was agreed to.

On the question of printing, Mr. *Hoffman* addressed the house in opposition to it; and went into a statement of facts in relation to the report. He said it had never been submitted to the committee in time for its action. It purported to be a counter report, or report of the minority; but where was any report from the majority? It was new to ask a majority to agree to the report of a minority, which they had never had an opportunity even to hear. Mr. H. dwelt on the mischievous tendency of such a practice, if sanctioned by the house. He insisted there was nothing either in the substance or manner of the paper, which ought to induce the house to print it. It was neither a report or counter report, but a speech—an argument of an individual. Mr. H. was proceeding to enter on the subject-matter of the paper, when Mr. *Bell* called for the orders of the day.

The house then resumed the consideration of the bill further to provide for the collection of the revenue.

Mr. *McDuffie* rose and addressed the house with much animation, in opposition to the bill.

Mr. *Wayne*, of Georgia, next obtained the floor; but, before he began, a motion was made for a recess till five o'clock, and carried.

The evening session. An account of the proceedings has not been received—but the debate was going on at a late hour, with an avowed determination to press the question before the adjournment.

The National Intelligencer says—In our report of the debate in the house of representatives upon the bill to make a loan to the city of Washington, we are now apprised that a material part of the amendment submitted by Mr. *Howard* was omitted. The persons proposed to be appointed by the president were, in addition to other duties, "to pronounce what ought to be performed by either or both, (the canal and rail road companies), on principles of law, justice, equity and a true regard to the public good."

MR. CLAY'S BILL—YEAS AND NAYS.

We were about preparing a view of the vote on this bill, in the house of representatives, by states—when the following, from the Baltimore "American" of Thursday last presented itself.

The vote on the passage of the new tariff bill, in the house of representatives, is of so much general interest that we have thought that a table of the votes arranged according to the states represented would not be unacceptable to our readers. We have taken the report of the Intelligencer of yesterday morning, in which there appears however to be an error of addition. We make the number, as in the table below, 120 ayes, to 84 noes,—instead of 118 to 85 noes.

Maine. *Ayes*—Anderson, James Bates, McIntire, Holland, Kavanagh, Jarvis. *Nay*—Evans.

New Hampshire. *Ayes*—Brodhead, Harper, Hubbard, Weeks. *Nay*—Chandler. *Absent*—Hammons.

Massachusetts. *Ayes*—None. *Noes*—Hodges, Dearborn, I. C. Bates, Choate, Adams, Davis, Briggs, E. Everett, Grennell, Appleton, John Reed, Kendall, Nelson.

Rhode Island. *Ayes*—None. *Noes*—Burges, Pearce.

Vermont. *Ayes*—None. *Noes*—Cahoon, Everett, Hall, Slade, Heman Allen.

Connecticut. *Ayes*—None. *Nays*—Barber, Ellsworth, Huntington, Ingersoll, Storrs, Young.

New York. *Ayes*—Bergen, Cambreleng, Verplanck, C. P. White, Ward, Lansing, Root, Bouck, Angel, Hoffman, Doubleday. *Nays*—Pendleton, Wilkin, J. C. Brodhead, John King, Pierson, Beardsley, Taylor, Pitcher, Hogan, Dayan, Wardwell, Collier, Edward C. Reed, Barstow, Babcock, Dickson, Whittlesey, G. H. Wheeler, Bates Cooke. *Absent*—Lent, (dead), Soule, Jewett, Tracy.

New Jersey. *Ayes*—None. *Nays*—Southard, Lewis Condict, Silas Condict, Hughes, Cooper, Randolph.

Pennsylvania. *Ayes*—Horn, Smith, Gilmore, Coulter. *Nays*—Sutherland, Watmough, Heister, Joshua Evans, Potts, Mann, Bucher, Henry King, Muhlenburg, Ihrie, Ford, Stephens, Dewart, Adam King, Crawford, Robert McCoy, Allison, Burd, McKennan, Denny, Banks. *Absent*—A. Stewart.

Delaware. *Nay*—J. I. Milligan.

Maryland. *Ayes*—Spence, Kerr, Semmes, Sewell, Washington, Jenifer, Thomas, Worthington, Howard. *Nays*—None.

Virginia. *Ayes*—Newton, Coke, Roane, Chinn, Robert Allen, Armstrong, Barbour, Patton, Archer, Alexander, Davenport, Bouldin, Gordon, William McCoy, J. Johnson, Maxwell, Craig, Draper, Claiborne, Mason. *Nay*—C. F. Mercer.

North Carolina. *Ayes*—W. B. Shepard, Hawkins, Hall, Branch, Baringer, Speight, McKay, A. H. Shepperd, Rencher, Bethune, Conner, Williams, Carson. *Nays*—None.

South Carolina. *Ayes*—Mitchell, Blair, Nuckolls, Davis, McDuffie, Felder, Griffin, Barnwell, Drayton. *Nays*—None.

Georgia *Ayes*—Foster, Lamar, Newnan, W. Thompson, Wayne, Clayton. *Nays*—None. *Absent*—Wilde.

Kentucky. *Ayes*—Daniel, Marshall, Chilton Allan, Hawes, Letcher, Adair, Gaither, Tompkins, Wickliffe, Lecompte, R. M. Johnson, Lyon. *Nays*—None.

Tennessee. *Ayes*—Blair, Arnold, Isacks, Standifer, Wm. Hall, Bell, Polk, C. Johnson, Fitzgerald. *Nays*—None.

Ohio. *Ayes*—Findlay, Corwin, Creighton, Irvin, J. Thompson, E. Whittlesey, Stanberry. *Nays*—Crane, Russell, Vinton, Kennon, Leavitt, E. Cooke. *Absent*—Vance.

Louisiana. *Ayes*—Bullard, Thomas, E D. White.

Indiana. *Ayes*—Boon, Carr. *Nay*—McCarty.

Illinois. *Aye*—Duncan.

Mississippi. *Aye*—Plummer.

Missouri. *Nay*—Ashley.

Alabama. *Ayes*—Clay, Lewis, Mardis.

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SUMMARY.

States	*Ayes.*	*Noes.*	*Absent.*	*Total.*
Maine	6	1	0	7
New Hampshire	4	1	1	6
Massachusetts,	0	13	0	13
Rhode Island	0	2	0	2
Vermont	0	5	0	5
Connecticut	0	6	0	6
New York	11	19	4	34
New Jersey	0	6	0	6
Pennsylvania	4	21	1	26
Delaware	0	1	0	1
Maryland	9	0	0	9
Virginia	20	1	0*	21
North Carolina	13	0	0	13
South Carolina	9	0	0	9
Georgia	6	0	1	7
Kentucky	12	0	0	12
Tennessee	9	0	0	9
Ohio	7	6	1	14
Louisiana	3	0	0	3
Indiana	2	1	0	3
Illinois	1	0	0	1
Missouri	0	1	0	1
Alabama	3	0	0	3
Mississippi	1	0	0	1
	120	84	8	212

*Add speaker, who did not vote of course.

MR. CLAY'S TARIFF BILL.

Having freely expressed our own opinion of this bill, we present another view of it from the *New York Advocate.*

—

The following letter is from an intimate, highly respected and intelligent friend, whom we know to be what he professes, no party man, and an undoubted friend to the protective policy. His reasonings are therefore entitled to great respect and consideration; and we give them to our readers with the more pleasure, because they present the subject in a point of view which may not strike many who are ignorant of the motives with which Mr. Clay has been actuated.

Washington, 14th Feb. 1833.

DEAR SIR: You have, before this reaches you, read Mr. Clay's bill, Mr. Webster's resolutions, and learned from your private correspondent, and the papers, the effect that has been produced. Standing in the relation which Mr. Clay does before the union, to the protective system, the introduction of this bill is perhaps one of the most important measures, whether viewed in relation to its operation on himself individually, or in its probable effect on the industry of the country, that he has ever offered for the consideration of congress. By his enemies he will be charged, and many of his former supporters will, doubtless, respond to the accusation, that he has sacrificed his principles on the altar of his ambition, and bargained away, for southern votes and southern support, the great interest which were to his care especially committed. You know that I am no party man; that measures, not men, is my motto, and that I am an unyielding advocate both from interest and principle, of the American system. In saying, then, that such criminations are groundless, I trust that you will believe me, at least so far as to give me credit for sincerity. To form a correct opinion on this subject, it is necessary to be fully acquainted with the aspect of affairs here previous to Mr. Clay's motion, and to have since heard Cambreleng, in the house, declare that he never would vote for a bill which he a few days before openly avowed his anxiety to see passed; and Benton, in the senate, state, in debate, that woollens never ought to receive less protection than 30 per cent. Mr. Forsyth, in his remarks in opposition to leave being granted to offer the bill, fully expressed the views and feelings entertained by our enemies previous to that time. They considered us as defeated and in their power, and were only hesitating as to the form and degree of punishment they should inflict. The administration expressing, as they *stated*, the public will, which had been distinctly manifested by the election of general Jackson to the presidency, in the bill reported by the committee of ways and means, and to which they lent their whole support, left no alternative for Mr. Clay but either form an arrangement with the enemies of Van Buren, at the south, by which time could be gained, trusting that at the expiration of eight or nine years, the protective policy would become universally popular, or silently witness the entire destruction of a system, of which it is his highest ambition to be considered the founder. To be sure, there was a chance of its being again renewed and sustained by a reaction of public sentiment which must have unquestionably followed the distress that would have ensued from its destruction, but the remedy was too powerful to be resorted to, if a palliation could be found. The south, finding themselves in an unpleasant dilemma, were willing to unite on any measure which would furnish them the opportunity of an apparently honorable escape. All they claimed was liberty to say to their constituents, that their principles had triumphed; they were willing to defer for ten years the exhibition of their effects. Time, and the prospect of protection for at least eight years, was the consideration on one side; on the other the satisfaction of proclaiming a triumph, without any practical benefit from the victory claimed. It will be said by many, I am aware, that Mr. Clay has by this bill relinquished forever the principle of discriminating duties. But I would ask, can an arrangement, which obviously contains in its very provisions the principles of its own destruction, be considered as permanent by its framers? If not, the fact on which this charge must rest, to wit, that at the end of ten years all duties are fixed at twenty per cent.—sufficient, when taken in connection with another, that cotton is then to be free—to satisfy any mind that a new law will then be unanimously called for from every section of the union. The south has now a specific duty of three cents a pound on her cotton; will she be able ten years hence to sustain herself against the competition of Texas and Brazil? Is it not more than probable, is it not certain, that she will require even a higher protection than she now enjoys? All the slave states are so fully sensible of the benefits they derive from cultivation of sugar in Louisiana, in the market it affords for their surplus negroes, and the employment of capital that would otherwise be directed to the growing of cotton, that, were it not for appearances, they would offer, even now, no objection to the present duty on sugar. No one presumes to suppose that twenty per cent. will ever be even the shadow of protection for sugar. May we not reasonably conclude that the southern politicians are aware that they shall need protection at that time, and expect to claim it—and may we not also infer that it is with a view to obtain assistance from other interests in effecting this, that they insist on placing all on the same level of twenty per cent. If the tariff of 1832 was taken as the basis, and the various duties were reduced in ten years to the revenue standard, retaining the same proportional difference to each other which they do at present, would they not have reason to apprehend that some important interests might find themselves sufficiently protected, and be unwilling to unite in an effort to obtain an increase of duties. I must say that the subject has struck me in this light, and the conclusion has forced itself upon me, that the bill was not intended by Mr. Clay, nor by the southern gentlemen who are understood to be its friends, to present a plan for the permanent adjustment of the tariff. That its only object is to allay the excitement which unfortunately exists at the present time, remove the subject from the operation and influence of party politics, and afford an opportunity to adjust, and fix on a permanent basis the industry of the country, which even the southern politicians admit it is necessary to sustain. Yours, &c.

THE CAPE DE VERDS.

We have been favored with the following letter from a clergyman who went passenger in one of the vessels sent from this port, by the liberality of our citizens, with provisions for the relief of the Cape de Verd sufferers. The description it gives of the distress and mortality which the famine in those islands had occasioned, and the frantic joy with which the starving inhabitants hailed the arrival of these unexpected succors, will be read with thrilling interest. Surely no man of common sensibility, after perusing this letter, can regret the humble offerings which he made for an object so worthy of his charity—worthy, at least, on account of the urgent nature of the call, if not for any particular merit in the recipients of his bounty. [*Jour. of Commerce.*

Port of Mayo, (Cape de Verds), January 5, 1833.

We arrived at this port on the last day of December, having left the principal part of the provisions for the islanders, at Bonavista. We are now loaded with salt for South America, and expect to sail within two or three days. At this island, and at Bonavista, there has been less suffering from the protracted famine, than at the other islands. From information received from individuals who have visited, and profess to be well acquainted with the condition of the islands, the suffering, wretchedness and desolation, has been beyond the conception of those who live in the midst of plenty and prosperity. I am not able to state the whole population of the islands, from the absence of statistical documents;—but the estimate of the number of deaths, *from actual starvation*, in all the islands, within about a year, is placed by those best acquainted with the circumstances, at between 30,000 and 40,000.* The items which go to make up this amount in the bill of mortality, are as follows: In St. Antonio, among a population of 26,000, 11,000 have died from starvation alone; in Fogo, 12,000 deaths from the same cause; in Bravo, 7,000; in St. Nicholas, 3,000, and in St. Jago the number is considerable, although not stated definitively. Captain Hays, of the brig Emma, of Philadelphia, with a full cargo of provisions for the suffering islanders, assured me that the scene of wretchedness and desolation at St. Antonio, where he touched long enough to discharge 500 barrels of provisions, was beyond the power of tongue or pen to describe. The miserable inhabitants looked more like *moving skeletons*, than living beings—their flesh was gone, their muscles seemed dried up, and they presented the appearance of only the naked *frames* of men, which could scarcely be kept together. The inhabitants had despaired of obtaining relief from any of the ordinary resources; and as no vessel had touched at the island for several months, on account of the difficulty and danger resulting from the fact that there is no safe harbor for vessels, a pilot was despatched

*The population of the Cape de Verds is stated in the Gazetteer to be about 100,000. It seems almost incredible that the mortality should have been as great as here stated; though we must say that the writer is a gentleman of intelligence, and not more likely than others to adopt exaggerated reports.

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in a boat with some half a dozen *skeleton* beings, to hail the first vessel that could be seen, and beg of it to stop and *sell* them something to keep them alive for a few days longer; when the Emma hove in sight, and was hailed, and, as soon as possible, the mournful tale of wretchedness was told, and the entreaty pressed to stop and sell them something to eat. Captain H. replied that he had nothing to *sell*—but that his vessel was loaded with provisions to *give away:* and that he had come for the express purpose of affording relief to any of the islanders who needed the gratuity. They seemed incredulous at first, but when satisfied of the fact, they raised their hands in astonishment toward heaven, intimating that he must have been despatched from thence, on such an errand of mercy. After landing, capt. H. soon found from what he there saw and heard, that the account of their deplorable, suffering condition had not been overstated. He discharged 500 barrels of provisions, and left them, after receiving every demonstration of gratitude from the sufferers which they were able to give. They even followed him to the water's edge, and there, in attempting to give *three cheers* with all the little energy which they possessed, they made a noise which seemed more like a sepulchral groan, than the voice of the living.

Captain H. was assured that almost every morning the dying and the dead would be seen in almost every direction from the door of his informant, and that but a short time before, a boy was seen cutting a piece of flesh from the carcase of a fellow creature, to lengthen out his own miserable existence, but was found soon after, dead, with the piece of flesh in his hand, having crawled only a few paces from the place where he obtained it. This was represented as only a specimen of what may often be witnessed, in its substantial features. Bonavista and Mayo have suffered less than the other islands, which has prevented us from being eye-witnesses of such heart-sickening scenes of wretchedness, as have been witnessed by others. Captain H. assured me that he felt amply compensated for all the expense which he had incurred, in coming out gratuitously to be almoner of the charity of Americans to those distant and desolate islands, in the consciousness of the real benefit which had been conferred. Our own country has not only been first, but alone, in this work of substantial sympathy and charity. Not a farthing has been sent by the people of any other nation—as charity; which speaks volumes in favor of our citizens. Even the Portuguese nation has left these poor creatures to starve by thousands, when the king derives not a little of his wealth from their toils and sufferings. The islanders supposed at first that the supplies received from our country had come from the *government* of the United States—and when assured that the govenment had nothing to do with it—that it was from the public and private contributions of men, women and children, as the spontaneous expression of their own feelings of kindness and sympathy, as soon as their suffering condition was made known—they seemed utterly at a loss to comprehend how it could be! I have often heard them say—"Americans kinder than our own country—we have *two* kings, but they no send provisions to keep us from starving—they fight one another to see who shall govern—they care nothing about *us*," &c The rains have begun to fall in the islands—and vegetation is coming forward rapidly, and the hope is cherished that something, in a few months, may be obtained from the fruits of the earth, to supply the wants of the people.

P. S. You judged right in supposing that little of interest would be found here, relating to the vegetable kingdom. It is the most desolate, barren portion of the earth which I aver beheld. There was scarcely any appearance of vegetation on some of the islands by which we passed, although on some of them in the interior, it is said that there are trees, &c. There is scarcely a tree on Bonavista, except those that have been planted—or even on this island. On some of the islands there are fruits of several different kinds, and the land is under some degree of cultivation, but we have not been able to visit them. I have obtained the seeds of two kinds of trees from St. Antonio—one the purga, from which all the oil used on the island is made, and is an emetic as well as cathartic—the other called at the island pina; and chery moilla, which produces a fruit somewhat resembling the pine-apple, but entirely different. I hope to meet with better success in South America.

A letter from lieut. McIntosh, commanding the U. States schooner Porpoise, to the secretary of the navy, dated Port Praya, island of St. Jago, January 3, 1833, says—"The very many reports which have reached the United States as regard the sufferings of the inhabitants of these islands have not been at all exaggerated; although at present there are no deaths on this island, in consequence of the relief which has been extended to them by the citizens of the United States; yet the many walking skeletons and objects of misery which continually present themselves to your view while on shore, but too plainly assure you what recently has been the dreadful situation of the island of St. Antonio, from a population of twenty-four, only eleven thousand are remaining, on the small island of Fogo four thousand now remain from a population of fourteen, and several of the other islands have suffered equally, and what is still more painful, their sad sufferings are by no means at an end. Another year they must exist, if they exist at all, from the charity of others; for these three years previous to the present, scarcely a drop of rain fell from the heavens; although they have had abundance during the present year, it has been so unseasonable as rather to be an injury than an advantage to cultivaton. I have been astonished, however, while witnessing the misery of the inhabitants, to view the hills covered with cattle of various kinds, and have asked in vain for an explanation of the fact, or what law could restrain starving thousands from supplying, partially at all events, their necessities."

EXTRAORDINARY SUICIDES.

Boston, Feb. 19. Yesterday morning, a most remarkable and melancholy event was disclosed in this city. The dead bodies of Mr. John Carter, aged about 23, and Miss Mary Bradlee, aged 20, were found suspended by their necks, in the first chamber of her father's (Mr. Samuel Bradlee) store on Washington street. Through a loop, attached to a hook in the ceiling, and secured by a black silk neckerchief, a couple of handkerchiefs tied together, had been passed, and these unfortunate persons were found fastened and suspended to each end of these handkerchiefs. Two chairs had been placed together, and Miss Bradlee, being not so tall as Mr. Carter, a box had been placed on one of the chairs so as to elevate her head to the height of his. Having stood in this position facing each other, the chairs were thrown from under them, and they were left suspended. When discovered, their arms hung down by their sides.

Mr. Carter had served his apprenticeship with Mr. Bradlee, and had left him about two years ago, for New Orleans, where he entered into business. Last summer, Mr. B. having lost a son, who was connected with him in business, wrote to Mr. C. to return, and enter his store, as a partner, on favorable terms. Carter had, for several years, been on intimate terms with Miss B. and it was generally supposed that they were engaged to be married to each other. On his return, he was recognized in such relation, and he was permitted to accompany her. Mr. Carter entered into a negotiation to purchase into Mr. Bradlee's business establishment, with a view to immediate marriage, and as Mr. Bradlee wished to retire from business. But in this attempt being unsuccessful, he designed to return to New Orleans. Miss B. wishing to go to New Orleans with him, the consent of her parents was withheld. The parents, however, did not object to their being married at some future period. The lovers were, however, rendered unhappy, and in an evil hour, committed the rash deed above related.

They left Mr. Bradlee's house on Sunday morning, at bell-ringing, proposing to go to Trinity church. They were seen, however, when the bells were nearly done tolling, below Summer street, coming down Washington street, towards Mr. B's store. This was the last that was seen of them together. Mr. Carter, however, went into the apothecary's shop, a few doors below Mr. B's store, on Sunday afternoon. No alarm was felt at the absence of Miss B. because she was in the habit of accompanying Mr. Carter to his father's house, and often remained there over night with his sister. As the walking was very bad, it was supposed she had staid there on Sunday night.

When the lad whose duty it was to open the store, went there yesterday morning, he found that by inserting his own key, he had knocked on the other, which was on the inside. On entering the store, he found Mr. Carter's cloak on the counter, and thought all was not right, but did not go up in the chamber where the bodies were found, until some time after. Mr. Carter left two letters in the store, one directed to his father and the other to Mr. Bradlee, in which he stated that he had been unfortunate, that he was tired of the world and took this mode of leaving it: that he wished his friends would forgive him and her, and that it was her request that both might be buried together in Mr. B's tomb under Trinity church. In Miss Bradlee's trunk at home was also found a letter in her own hand writing, in which she thanked her parents for all their kindness and asked forgiveness of them for this last act of leaving them in this manner. Mr. Bradlee is truly a bereaved man. About a year ago, he lost a promising son, about 11 years old, who was killed instantly by a fragment of the wheel of a coach in which he was riding, and another son, who was his partner in business, died of consumption within a year.

The above is a correct account of this unhappy occurrence, so far as we have heard. Within a few weeks, Carter received 3,500 dollars on some real estate which he owned, and he immediately lost it, as he said, in Boston in some *speculation*, which he had declined giving any account of to Mr. Bradlee or to any of his friends, although he acknowledged that he had lost it, and was requested to state in what manner.

THE CHEROKEES.

From the National Intelligencer.

The Cherokee Phœnix takes exception, without sufficient reason, to our having copied from a Georgia paper (the only channel through which any information of the matter has been received) an account of alleged murder of whites by certain Cherokees. We are against all sorts of murder or manslaughter, and must condemn it under whatever color it comes. We are glad to be assured that the Cherokees are in this case innocent of it. The following is the Cherokee account of the affair referred to:

New Echota, Feb. 2.

A white family of four persons resided at Saloquovah, ten miles distant from this place. Lawson Bowman, wife, child and mother in-law. Bowman was a young man brought up partly in the nation, and lived 3 or 4 miles from any house. The week preceding Christmas, two Indian boys passing his place, found that the house had burned to the ground with the occu-

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pants of it. The boys made it known, and many Cherokees proceeded to the place to make some discovery whether this painful loss of lives was occasioned by murder or otherwise. It appearing the house had been burned four or five days previous, and a heavy rain; no circumstance appeared which would justify the conclusion that it was a case of murder. Nothing could be found of the remains of the persons but small pieces of cinders. An out-house contained some property undisturbed. In the meantime, Bowman's relations had charged the perpetration of this crime to the Cherokees, and the guard were sent for, to arrest them. The writer of this article advised the Indians to submit. They did so. The Georgia guard rushed to the Indian settlement with the spirit of Sampson, when he went down to Askelon, or like a lawless storm, frightened the poor women and children from their homes in the cold days of Christmas, and chained fast to one another 8 or 10 Cherokees. They were kept in this condition for several days; we saw some driven along the muddy roads to some magistrates for examination, but, in the absence of any testimony whatever against these men, they were all released. This is the only case that has occurred where the loss of lives has been charged to the Cherokees, and so far they have proved unfounded. [*Phœnix.*

NAVY OF THE UNITED STATES.

HOUSE OF REPRESENTATIVES, JANUARY 29, 1833.

Mr. *Watmough*, from the committee on naval affairs, made the following report:—

The committee on naval affairs, to whom was referred the several resolutions presented on the 17th instant, by the hon. Mr. Hogan, of this house, with the view to inquire into and prevent certain abuses alleged therein to exist in the naval service of the United States, report:

That they have duly and maturely considered the same; and having referred the resolutions, with the documents appended thereto, to the navy department, and received from the secretary the annexed letter, dated January 28th, 1833, containing his views on the subject, they beg leave respectfully to submit the same to the house, as follows:

Navy department, January 28th, 1833.

SIR: I have received your letters of the 25th instant, in relation to the resolutions of the house of representatives, passed the 17th instant, on the proper measures to be adopted to prevent certain supposed abuses among the officers of the navy.

My opinion is not asked on the existence of those abuses at this or at any former period, whether practised by the officer designated in the specifications, or by any other officers in the service; but only, whether any "further legislation is necessary to correct the abuses supposed by said resolution to exist in the service."

In reply to this last inquiry, I can only say, that if such abuses have ever occurred, or should occur hereafter, it appears to me no further legislation is necessary to correct them; but that the past and present authority of the department, through courts of inquiry and courts martial, is ample for the correction of them; and, it is presumed, no period has existed when that authority would not have been exercised, on due complaint being made for the purpose, supported by such probable evidence of guilt as would justify calling on the officer implicated for official explanation; and if not given satisfactorily, ordering on him such judicial proceedings as the circumstances appeared to require. The papers enclosed, are herewith returned. I am, very respectfully, sir, your obedient servant,

LEVI WOODBURY.

The hon. John Anderson, chairman of the naval committee of house of representatives.

Your committee avail themselves of the occasion to express their hearty concurrence in these views, expressed by the secretary of the navy, and, entering, as they now do, their protest against any such future proceeding through the medium of this house, against either the naval or military officers of the government, they respectfully ask to be discharged from all further consideration of the subject.

COLLECTION OF REVENUE AT CHARLESTON.

Treasury instructions to the collector of the port of Charleston.

[CONFIDENTIAL.]

Treasury department, November 6, 1832.

SIR: The act of the legislature of South Carolina, passed at their recent special session, and the anticipation of measures which may be apprehended from the convention called by that act for the avowed purpose of opposing and preventing the execution of the laws of the United States, imposing duties on foreign goods, wares and merchandise, make it proper immediately to draw your attention to the subject, and especially to some of the provisions of the existing acts of congress for the collection and security of the revenue.

It is difficult, and indeed impossible, to foresee in detail the precise measures which may be adopted by the convention; and the instructions now given must be more or less hypothetical, and the particular acts you may be called, in the discharge of your duty, to perform, must be, in a great degree, regulated by the character of the emergency, as it may arise. It is sufficiently obvious, however, that all the means which ingenuity can devise will be adopted to elude, or render null and inoperative within the state of South Carolina, the laws of the union imposing duties on foreign merchandise, and that a corresponding energy and vigilance in the performance of their duties, will be required from those charged with the execution.

You will require no observation from me to impress you with the delicacy and importance of the crisis in which you may soon be called to act, or with the indispensable necessity of unshrinking firmness and fidelity in the discharge of your duties. The crisis may involve no less than the safety of our inestimable union, and the self approbation and public gratitude attendant upon all honorable exertions for the preservation of that precious palladium of our happiness, will insure, on your part, all that the government can expect.

It is greatly to be apprehended that the measures of the convention may be such as not to be effectually counteracted without further legislation on the part of congress, which, of course, cannot be had in season for a prompt application of the remedy which their wisdom may devise: but I entertain a confident hope that, with a vigilant, faithful and fearless exercise of the authority conferred by the existing laws, aided by the moral support of the patriotic and unprejudiced portion of the community, much of the meditated evil may be for the present averted, if not altogether prevented.

Without a better knowledge than can now be had of the means of resistance to which the convention may resort, it is supposed that authority sufficient, for the present, is conferred by the constitution, which makes it the duty of the president to execute the laws; by the act vesting in the department of the treasury, the special power to superintend the collection of the revenue, which may fairly be supposed to give all power not contrary to the laws, and necessary to their execution; and by the several provisions of the act entitled "an act to regulate the collection of duties on imports and tonnage," passed the 2d of March, 1799, to which last act it is my intention, at present, to ask your particular attention.

It will be perceived by the 13th section of that act, that each of the collection districts, established in South Carolina, and the whole and every part of each district, is constituted a port of entry; and though the collector, naval officer and surveyor, are directed to reside at Charleston, and a collector at each of the other ports, it cannot be questioned that a vessel may lawfully discharge her cargo, and, if directed, make entry at any other point within the port of entry; and it appears also certain, that whenever, from physical or moral necessity, the laws shall be suspended at the residence of the collector, and he be prevented by a superior and unlawful force from the exercise of his authority at the usual place, it may be competent to place his officers to receive and compel the legal entry at some other safe and convenient place within the port of entry, as described by law.

You are already aware that, by the provisions of the same act, no goods, wares or merchandise, can be "brought into the U. States" from any foreign port or place, in any ship or vessel, without having on board a proper manifest; that, within twenty-four hours, after the arrival of any ship or vessel from any foreign port or place, at any port in the United States, established by law, at which an officer of the customs resides, or *within any harbor, inlet or creek thereof*, the master must repair to the custom house, and make report of her arrival; and, within forty-eight hours after such arrival, he must make further report in writing, accompanied by his manifest; and that, within fifteen days, (and by the act of the 3d March, 1821, in case of vessels of more than three hundred tons, within twenty days), after such report by the master, the owner or consignee of the merchandise on board, must make entry thereof, in writing, with the said collector; and that, in default thereof, the collector is authorised to take possession of said goods, wares and merchandise, in the manner particularly described in the 56th section. At the time of making an entry, the tonnage duties, (if any), must be paid; and previously thereto, the register, or other document in lieu thereof, together with the clearance and other papers, must be produced to the collector, and must remain in his office until returned to the master, or the clearance of the vessel for any other port; which clearance cannot be granted, and consequently the delivery of the papers cannot be made until all the formalities in regard to the vessel on her arrival shall have been complied with, and, (by the 93d section), until receipts for all the legal fees which shall have accrued on the vessel, shall have been produced to the collector. By the 29th section, a vessel which shall have arrived from a foreign port, and shall attempt to depart without having been reported, or entered by the master, is liable to be arrested and brought back by the officers of the customs. The entry of the merchandise, by the owner or consignee, already adverted to, consists, besides the other proceedings and formalities particularly required, in paying or securing, according to law, the duties which shall be ascertained by the collector and naval officer. Where the duties are to be secured, it is by bond or bonds, which shall include one or more securities. to the satisfaction of the collector; who shall be satisfied not merely of the solvency of the surety, but of his sufficiency in other respects, and would not be expected or authorised to accept, as surety, any individual who should be understood to have formed a determination not to pay the bond, or comply with his obligation.

You will perceive, moreover, by the 50th section of the act, no goods, wares or merchandise, brought in any ship or vessel, from any foreign port or place, shall be unladen or delivered but in open day, except by special license, nor at any time, without a permit from the collector, under severe penalties, including the forfeiture of the goods; and by the 62d section, no permit shall be granted for landing the same, until all du-

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ties thereon shall have been paid, or secured to be paid, according to law.

By the 53d section, the collector of any district at which any ship or vessel may arrive, and *immediately on her first coming within such district*, is directed to put and keep on board such ship or vessel, whilst remaining in the district, or in going from one district to another, *one or more* inspectors to examine the cargo, and to superintend the delivery thereof, *and to perform such other duties according to law, as they shall be directed by the collector to perform for the better securing the collection of the duties;* and it is expressly made the duty of said inspectors to suffer no goods, wares or merchandise, of any nature or kind whatever, to be landed from such ship or vessel without a permit in writing from the collector of the port, and naval officer, where any, first had and granted for the purpose.

It may be proper, also, to observe, that after twenty-four hours from the time of her arrival, a vessel cannot proceed from one port to another without a clearance in the manner particularly pointed out. By the 21st section of the act referred to, and by the second section of the act of the same date, "establishing the compensation of the officers employed in the collection of the duties on imports and tonnage," the collectors are authorised to employ, with the approbation of the secretary of the treasury, such inspectors as the public service may require; and by the 97th, 98th, 99th, 100th and 101st sections of the act first referred to, ample authority is given to provide the requisite number of cutters and boats for the better securing the collection of the duties. The officers of such boats are subject to the direction of the collectors, and are, moreover, empowered and directed to go on board all ships and vessels which shall arrive within the United States, or four leagues of the coast thereof, if bound to the United States; and among other duties, to affix and put proper fastenings on the hatches and other communications with the hold, and to remain on board the said vessels until their arrival at the port of their destination. They are likewise to execute and perform such other duties for the collection and security of the revenue, as, from time to time, shall be enjoined and directed by the secretary of the treasury, not contrary to law and the provisions of said act; and they are further authorised to fire at or into any vessel liable to examination which shall not bring to, on being required or chased by any cutter or boat, as described in the 102d section.

Neither the validity of these provisions of the act of the 2d March, 1799, to which I have adverted thus particularly, that the further observations which my duty requires me to make may be more intelligible, nor of the act itself, has ever heretofore been questioned: and it is not altogether clear that the purposes of the convention, to assemble in South Carolina, as defined by the recent act of the legislature of that state, would extend to acts of a collector merely in execution of these provisions. However this may be, they are now, and always have been applicable to every district and every part of the union; they are now, and have uniformly been, in daily and strict observance in each of them; they are not merely of universal application every where, but embrace almost every imaginable case, and if, as has been sometimes publicly professed, the meditated resistance to the laws of the union is to assume the form of legal redress, and avoid a resort to open force or violence, it is believed they will be found, when properly enforced, to be fully equal to every emergency likely to arise.

In this view, it is presumed, your own official conduct has been and is now in strict conformity with the provisions of the act of 1799, and that, in observing these instructions, you will be merely executing your duties with, perhaps, greater vigilance than ordinary, and adapting existing regulations, of daily use and application, to new circumstances of greater emergency, as they may arise. It is the more important that you should keep this view of the subject constantly in mind, as it is the wish of the president, and of this department, to take no step, nor employ any means calculated to provoke or excite to force those who are now threatening resistance, but to defeat their operations by the moral force of the laws and the constitution, and to execute the former in the manner therein prescribed, and to employ force only when it shall be clearly authorised, and be found unavoidable in the discharge of your duty, and indispensably necessary to resist its employment by those who shall have resorted to it for the subversion of the laws.

It may be sufficient, therefore, in the first place, to call your particular attention to legal provisions already adverted to, and to the duties which they enjoin, and to direct that, in every case to which they are applicable, you will conform to their provisions by all the means which they place in your power.

But as there are some contingencies inseparable from the measures of the convention about to assemble which cannot be overlooked, it is proper that, in regard to these, you should be now advised.

Upon the supposition, therefore, that the measures of the convention, or the acts of the legislature may consist, in part, at least, in declaring the laws of the United States imposing duties unconstitutional and null and void, and in forbidding their execution, and the collection of the duties within the state of South Carolina, you will, immediately after it shall be formally announced, resort to all the means provided by the laws, and particularly by the act of the 2d of March, 1799, to counteract the measures which may be adopted to give effect to that declaration.

For this purpose, you will consider yourself authorised to employ the revenue cutters which may be within your district, and provide as many boats, and employ as many inspectors, as may be necessary for the execution of the law, and for the purposes of the act already referred to. You will, moreover, cause a sufficient number of officers of cutters and inspectors to be placed on board, and in charge of every vessel arriving from a foreign port or place, with goods, wares, or merchandise, as soon as practicable after her first coming within your district, and direct them to anchor her in some safe place within the harbor, where she may be secure from any act of violence, and from any unauthorised attempt to discharge her cargo before a compliance with the laws; and they will remain on board of her at such place until the reports and entries required by law shall be made, both of vessel and cargo, and the duties paid, or secured to be paid by your satisfaction, and until the regular permit shall be granted for landing the cargo; and it will be your duty, against any forcible attempt, to retain and defend the custody of the said vessel, by the aid of the officers of the customs, inspectors, and officers of the cutters, until the requisitions of the law shall be fully complied with; and in case of any attempt to remove her or her cargo from the custody of the officers of the customs by the form of legal process from state tribunals you will not yield the custody to such attempt, but will consult the law officer of the district, and employ such means as, under the particular circumstances, you may legally do, to resist such process, and prevent the removal of the vessel and cargo.

Should the entry of such vessel and cargo not be completed, and the duties paid, or secured to be paid, by bond or bonds, with sureties to your satisfaction, within the time limited by law, you will, at the expiration of that time, take possession of the cargo, and land and store the same at Castle Pinckney, or some other safe place, and in due time, if the duties are not paid, sell the same according to the direction of the 56th section of the act of the 2d of March, 1799; and you are authorised to provide such stores as may be necessary for that purpose.

It may be hoped that the foregoing precautions, and the prompt prosecution, in all cases, of those who may violate the law or resist the officers of the customs in its execution, will be sufficient for the present, and as long as you may find it practicable to perform your official duties, and as long as the rights of your person, and those of the other officers of your district shall be secure, and property respected, the custom house may be continued at Charleston. But, should the measures of the convention, or those of the legislature, expose your person, or the persons of the other officers, to outrage, or to arrest and imprisonment, and, by force or other necessity, render the execution of the laws of the United States impracticable, you may remove the custom house to Castle Pinckney, or to some other secure place within the port of entry, where you may take and receive the entries of vessels and their cargoes, and perform other duties necessary by law to be performed at the custom house.

You will, moreover, cause the officers of the cutters under your direction, to board all vessels departing from the port of Charleston, and in case any shall be found without having been regularly entered and cleared in the manner required by law, to seize and detain the same, to be prosecuted according to law.

It will be proper, in every case of doubt and difficulty, to consult the law officer of the district, and, on all occasions, where these instructions do not afford an adequate guide, to follow his advice.

It is expected that you will promptly inform the department of any difficulty that may occur in your district, and keep it regularly advised of all the measures that may be adopted by any person or persons for obstructing the execution of the laws, and also of the means which you may deem it your duty to adopt, and that, in every case of importance, where the time will admit of it, you, will, previously to taking any unusual or important step on your part, apply to the department for further instructions. For this purpose, you are authorised to despatch a special messenger, whenever, in your opinion, it may be necessary either for safety or expedition.

To enable you to execute the laws, and to fulfil these instructions, the revenue cutter Alert has been ordered to proceed to Charleston. On her arrival there will be two cutters on that station, and you will place them where you may think best.

You will treat these instructions as confidential, until it shall become necessary to act; but, in the mean time, you will exhibit them confidentially to the district attorney, naval officer and surveyor, that you may have the benefit of their counsels, and that you may all be better prepared to act together when occasion shall require. I am very respectfully, your ob't serv't.

L. McLANE, *secretary of the treasury.*

To James K. Pringle, esq. collector of the customs, Charleston.

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[Similar letters were addressed to the collector at Georgetown, and the collector at Beaufort, differing only in the following particulars, viz: the reference to Castle Pinckney was omitted, and, in lieu of the last two paragraphs, the following was substituted:

"To enable you the better to execute the laws, and fulfil these instructions, a revenue cutter will be placed under your direction, and you will assign her to such station, and give such instructions from time to time to her commander, as you may deem best adapted to those objects. The cutter for your district will be despatched in a few days.

"You will treat these instructions as confidential until it shall become time to act."]

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